



## AGENDA

**Long Beach City Council Workshop at 6:00 p.m.**

**Long Beach City Council Meeting**

**Regular City Council February 4, 2013 at 7:00 p.m.**

Long Beach City Hall - Council Chambers

115 Bolstad Avenue West

### **6:00 PM CALL TO ORDER**

+ WS 13-02 – Discussion of Pool with Pool Task Force - **TAB – A**

### **7:00 PM CALL TO ORDER; PLEDGE OF ALLEGIANCE; AND ROLL CALL**

Call to order	Mayor Andrew, Council Member Linhart, Council Member Maxson,
And roll call	Council Member Perez, Council Member Murry, and Council Member Phillips

### **CONSENT AGENDA - TAB - B**

All matters, which are listed within the consent section of the agenda, have been distributed to each member of the Long Beach City Council for reading and study. Items listed are considered routine by the Council and will be enacted with one motion unless a Council Member specifically requests it to be removed from the Consent Agenda to be considered separately. Staff recommends approval of the following items:

- Minutes, May January 22, 2012 Regular City Council meeting.
- Payment Approval List for Warrant Registers 52720 - 52757 & 70887 – 70942 for \$157,512.28

### **BUSINESS**

- **AB 13-03 – Surplus Vehicle – TAB – C**
- **AB 13-04 – Public Hearing for Ordinance 887 – TAB – D**
- **AB 13-05 – Public Hearing for Ordinance 887a – TAB – E**
- **AB 13-06 – Resolution 2013-01 Amendments and additions to Personnel Policy – TAB - F**

### **ORAL REPORTS**

•	<b>City Council</b>	<b>Mayor</b>	<b>City Administrator</b>	<b>Department Heads</b>
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### **CORRESPONDENCE AND WRITTEN REPORTS – TAB – G**

- **Correspondence – Sales Tax and Lodging Tax**
- **Correspondence – PD Report for January 2013**
- **Correspondence – Don McGuire's letter to legislature**
- **Business License – Heating Solutions LLC; Astoria, OR**

### **FUTURE CITY COUNCIL MEETING SCHEDULE**

The Regular City Council meetings are held the 1<sup>st</sup> and 3<sup>rd</sup> Monday of each month at 7:00 PM and may be preceded by a workshop commencing at 6:00 PM.

February 19 – 7:00 pm – City Council Meeting

March 4 – 7:00 pm – City Council Meeting

### **PUBLIC COMMENT**

At this time, the Mayor will call for any comments from the public on any subject whether or not it is on the agenda for any item(s) the public may wish to bring forward and discuss. Preference will be given to those who must travel. **Please limit your comments to five minutes. The City Council does not take any action or make any decisions during public comment.** To request Council action during the Business portion of a Council meeting, contact the City Administrator at least one week in advance of a meeting.

### **ADJOURNMENT**

American with Disabilities Act Notice: The City Council Meeting room is accessible to persons with disabilities. If you need assistance, contact the City Clerk at (360) 642-4421 or advise City Clerk at the meeting.

TAB

A

TAB

A



**CITY COUNCIL  
WORKSHOP BILL  
WS 12-02**

**Meeting Date: February 4, 2013**

**AGENDA ITEM INFORMATION**

***SUBJECT: Discuss of  
the final decision on the  
concept of a swimming  
pool.***

***Originator:***

Mayor	BA
City Council	
City Administrator	
City Attorney	
City Clerk	
City Engineer	
Community Development Director	
Finance Director	
Fire Chief	
Police Chief	
Streets/Parks/Drainage Supervisor	
Water/Wastewater Supervisor	
Other:	

***COST: N/A***

***SUMMARY STATEMENT: The Mayor would like to have the Swimming Pool Task Force meet with the City Council to discuss and make the final decision on the swimming pool.***

TAB

B

TAB

B

## LONG BEACH CITY COUNCIL MEETING

January 22, 2013

### CALL TO ORDER

Mayor Andrew called the meeting to order and asked for the Pledge of Allegiance.

### ROLL CALL

Gene Miles, City Administrator, called roll with C. Linhart, C. Murry, C. Phillips, C. Perez and Mayor Andrew present. C. Maxson was absent.

### CONSENT AGENDA

Minutes, January 7, 2013 Regular City Council meeting

Payment Approval List for Warrant Registers 52674-52719 & 70811-70886 for \$274,598.02

**C. Phillips made the motion to approve the consent agenda with C. Linhart seconding the motion.**

**4 Ayes 0 Nays 1 Absent (C. Maxson) motion passed.**

### BUSINESS

AB 13-02      Revised Chapter 5-2: Public Nuisances & Title 14: Enforcement

Gayle Borchard presented the agenda bill explaining legal and planning personnel have made additions to Chapter 5-2: Public Nuisances and completely rewritten Title 14, formerly Penalties, now Enforcement Procedures. She is asking for council input before holding the public hearing.

AB 13-03      Fire Tank and Pump Purchase

David Glasson, Long Beach Volunteer Fire Chief, presented the agenda bill. He provided the equipment request for the beach fire fighting 6x6 and the expected budget for said equipment of \$13,750. He is asking for authorization to get the vehicle ready for service by the summer fire season. He explained there is enough money in the equipment fund and will not exceed a budget of \$15,000 without obtaining further council permission. **C. Linhart made the motion to approve the agenda bill with C. Phillips seconding the motion. 4Ayes 0 Nays 1 Absent (C. Maxson), motion passed.**

### ORAL REPORTS

C. Linhart, C. Perez, C. Murry, C. Phillips, Mayor Andrew, Gene Miles, City Administrator, David Glasson, Finance Director and Fire Chief and Gayle Borchard, Community Development Director, presented oral reports.

### CORRESPONDENCE AND WRITTEN REPORTS

Business License – Craftsman by the Sea; Long Beach

Business License – Lynda Alyce Kinnunen; 509 Pacific Ave S

Business License – United Rentals; Longview, WA

**PUBLIC COMMENT**

Judith Thompson, representing Seaview Condos, inquired about individual meters being installed by a private company.

**ADJOURNMENT**

**C. Linhart made the motion to adjourn with C. Phillips seconding the motion. 4 Ayes 0 Nays 1 Absent (C. Maxson), motion passed.**

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Mayor

ATTEST:

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City Clerk





# Warrant Register

Check Periods: 2013 - January - Second

I, THE UNDERSIGNED DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE CLAIM IS A JUST, DUE AND UNPAID OBLIGATION AGAINST THE CITY OF LONG BEACH, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIM.

Council Member		Council Member		Council Member		Finance Director	
Number	Name	Print Date	Clearing Date	Amount			
52720	Binion, Jacob	1/18/2013		\$1,564.17			
52721	Bledsoe, Linda	1/18/2013		\$935.71			
52722	Borchard, Gayle	1/18/2013		\$1,748.08			
52723	Busby, Randy Scott	1/18/2013		\$1,795.43			
52724	Cutting, Jeffrey G.	1/18/2013		\$2,622.39			
52725	Fitzgerald, Rick E.	1/18/2013		\$1,374.85			
52726	Payroll Vendor	1/18/2013		Void			
52727	Glasson, David R.	1/18/2013		\$2,384.74			
52728	Goulter, John R.	1/18/2013		\$1,534.29			
52729	Gray, Karen	1/18/2013		\$784.95			
52730	Payroll Vendor	1/18/2013		Void			
52731	Huff, Timothy M.	1/18/2013		\$1,440.71			
52732	Kitzman, Michael	1/18/2013		\$1,965.11			
52733	Luethe, Paul J	1/18/2013		\$1,581.83			
52734	Martin, Kevin R	1/18/2013		\$2,076.38			
52735	Meling, Casey K	1/18/2013		\$2,340.74			
52736	Miles, Eugene S	1/18/2013		\$2,753.39			
52737	Mortenson, Tim	1/18/2013		\$2,511.47			
52738	Myers, Ragan S.	1/18/2013		\$1,317.64			
52739	Ostgaard, Loretta G	1/18/2013		\$1,311.98			
52740	Padgett, Timothy J	1/18/2013		\$1,853.85			
52741	Russum, Richard	1/18/2013		\$1,257.09			
52742	Payroll Vendor	1/18/2013		Void			
52743	Wright, Flint R	1/18/2013		\$2,264.02			
52744	Zuern, Donald D.	1/18/2013		\$1,904.37			
52745	Gray, Rick R.	1/18/2013		\$1,881.97			
52746	Warner, Ralph D.	1/18/2013		\$1,969.72			
52747	Gilbertson, Bradley K	1/18/2013		\$1,311.72			
52748	AFLAC	1/22/2013		\$375.35			

Number	Name	Print Date	Clearing Date	Amount
52749	Association of WA Cities	1/22/2013		\$13,123.78
52750	City of Long Beach - Fica	1/22/2013		\$9,824.38
52751	City of Long Beach - FWH	1/22/2013		\$8,385.17
52752	Dept of Labor & Industries	1/22/2013		\$1,374.78
52753	Dept of Retirement Systems	1/22/2013		\$8,024.02
52754	Dept of Retirement Systems Def Comp	1/22/2013		\$1,158.00
52755	Hartford Life Insurance	1/22/2013		\$325.00
52756	Teamsters Local #58	1/22/2013		\$193.50
52757	United Employee Benefit Trust (UEBT)	1/22/2013		\$6,553.00
70887	City of Long Beach	1/22/2013		\$300.00
70888	South District Court	1/25/2013		\$83.00
70889	Pacific County Sheriff's	1/25/2013		\$60.00
70890	Dept. of Health	1/30/2013		\$42.00
70891	Aiken, James	1/22/2013		\$10.87
70892	Bardonski, Cory	1/30/2013		\$43.49
70893	Bonney, Matt	1/30/2013		\$21.75
70894	Caldwell, Tye	1/30/2013		\$21.75
70895	Lopez, Daniel	1/30/2013		\$173.97
70896	McDonnell, Travis	1/30/2013		\$108.73
70897	McGuire, Don	1/30/2013		\$10.87
70898	Oman, Steve	1/30/2013		\$86.98
70899	Williams, David	1/30/2013		\$206.59
70900	Stidham, Bill	1/30/2013		\$124.90
70901	Employment Security Dept	1/30/2013		\$3,140.12
70902	Postmaster	1/30/2013		\$506.92
70903	A and A SCALES LLC	1/31/2013		\$330.00
70904	Airgas USA LLC	1/31/2013		\$281.01
70905	ALS ENVIRONMENTAL	1/31/2013		\$865.00
70906	AlSCO-American Linen Div.	1/31/2013		\$146.35
70907	Arts Auto Parts Inc.	1/31/2013		\$140.40
70908	At&t Mobility	1/31/2013		\$111.44
70909	Beachdog.com Inc.	1/31/2013		\$2,500.00
70910	Board For Volunteer Firefighters	1/31/2013		\$2,310.00
70911	Borchard, Gayle	1/31/2013		\$94.92
70912	Brat Wear	1/31/2013		\$484.56
70913	Cascade Columbia Distribution CO	1/31/2013		\$4,634.72
70914	Chemtrac Systems, Inc	1/31/2013		\$889.35
70915	Chinook Observer	1/31/2013		\$107.00
70916	Dept. of Ecology	1/31/2013		\$1,526.00
70917	E.S. Constant Company	1/31/2013		\$1,151.07
70918	Evergreen Septic Service	1/31/2013		\$100.00
70919	Hach Company	1/31/2013		\$525.73
70920	Landmark Ford	1/31/2013		\$69.47
70921	Lawson Products, Inc.	1/31/2013		\$185.19
70922	Martin, Kevin	1/31/2013		\$157.00
70923	Midway Printery	1/31/2013		\$63.60



Number	Name	Print Date	Clearing Date	Amount
<u>70924</u>	Mortenson, Tim	1/31/2013		\$42.00
<u>70925</u>	Naselle Rock & Asphalt	1/31/2013		\$6,202.07
<u>70926</u>	Pacific County Auditor	1/31/2013		\$432.00
<u>70927</u>	Pacific County Economic Development Council	1/31/2013		\$1,000.00
<u>70928</u>	Pacific County Sheriff's	1/31/2013		\$12,058.52
<u>70929</u>	PAPE MATERIAL HANDLING	1/31/2013		\$177.76
<u>70930</u>	Peninsula Rotary	1/31/2013		\$130.00
<u>70931</u>	Public Utility District 2	1/31/2013		\$10,443.31
<u>70932</u>	Quill Corporation	1/31/2013		\$119.97
<u>70933</u>	Ryan Herco	1/31/2013		\$408.49
<u>70934</u>	Standard Insurance Co.	1/31/2013		\$1,400.50
<u>70935</u>	STREET CRIMES	1/31/2013		\$399.00
<u>70936</u>	Unum Life Insurance	1/31/2013		\$45.60
<u>70937</u>	Usa Blue Book	1/31/2013		\$532.33
<u>70938</u>	Visa	1/31/2013		\$375.80
<u>70939</u>	Vision Municipal Solutions	1/31/2013		\$5,755.05
<u>70940</u>	Wadsworth Electric	1/31/2013		\$483.53
<u>70941</u>	Wilcox & Flegel Oil Co.	1/31/2013		\$1,676.09
<u>70942</u>	Zero Waste Usa, Inc	1/31/2013		\$391.93
	<b>Total</b>		<b>Check</b>	<b>\$157,512.28</b>
	<b>Grand Total</b>			<b>\$157,512.28</b>

TAB

C

TAB

C



**CITY COUNCIL  
AGENDA BILL  
AB 13-03**

**Meeting Date: February 4, 2013**

**AGENDA ITEM INFORMATION**

**SUBJECT: Surplus  
Vehicle**

*Originator:*

Mayor

City Council

City Administrator

City Attorney

City Clerk

City Engineer

Community Development Director

Finance Director

Fire Chief

DG

Police Chief

Streets/Parks/Drainage Supervisor

**COST:**

Water/Wastewater Supervisor

Other:

**SUMMARY STATEMENT:** Fire Department Volunteers wish to declare the following vehicle surplus and advertise and take bids accordingly.

Year	Make and Model	VIN#	Minimum Bid
1966	International 75' Platform	807721G212560	\$1,500

**RECOMMENDED ACTION:** *Authorize staff to advertise and sell the above equipment.*

TAB

D

TAB

D



**CITY COUNCIL  
AGENDA BILL  
AB 13-04**

**Meeting Date: February 4, 2013**

**AGENDA ITEM INFORMATION**

**SUBJECT:** Public Hearing on and possible adoption of Ordinance 887: Revised Title 5, Chapter 2: Public Nuisances

**Originator:**

Mayor

City Council

City Administrator

City Attorney

City Clerk

City Engineer

Community Development Director

GB

Finance Director

Fire Chief

Police Chief

Streets/Parks/Drainage Supervisor

**COST:** N/A

Water/Wastewater Supervisor

Other:

**SUMMARY STATEMENT:** This is an ordinance revision that has undergone public, staff, and Council review and comment. The Council is required to hold a public hearing on this matter to receive additional public comment. If the Council determines it is appropriate, it may also adopt the ordinance once the hearing is closed. The Council may also combine this hearing with the hearing for Ordinance 887a (please see AB 13-05).

**RECOMMENDED ACTION:** Conduct a public hearing on Ordinance No. 887. If the Council determines it is appropriate, adopt Ordinance 887.



## ORDINANCE No. 887

### **AN ORDINANCE OF THE CITY OF LONG BEACH, WASHINGTON ADOPTING A REVISED TITLE 5, CHAPTER 2: PUBLIC NUISANCES, AND PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT**

**WHEREAS**, the City Council deems it necessary for the purpose of promoting the public health, safety and general welfare of the City; and

**WHEREAS**, The purpose of the Public Nuisances Chapter of the City's Health, Sanitation and Environment code is to exercise the City's police power in order to provide for protection of the public health, safety, and welfare of the City of Long Beach and to promote economic development of the City by proscribing those nuisances which equally affect the rights of an entire community; and

**WHEREAS**, the City has undertaken a public process to receive input from its citizens, property owners, and decision-makers; and

**WHEREAS**, the City has reviewed and considered all public comments;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LONG BEACH,  
WASHINGTON, DOES ORDAIN AS FOLLOWS:**

#### **Section 1. Findings**

The City Council of the City of Long Beach hereby adopts the following Findings of Fact:

- (1) The proposed ordinance is necessary to protect the health, safety, general welfare and orderly development of the community.
- (2) The proposed ordinance is consistent with the City's adopted Comprehensive Plan.
- (3) The proposed ordinance furthers the implementation of the city's adopted Comprehensive Plan.

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#### **Section 2. Adoption**

Chapter 2 - Public Nuisances of Title 5 - Health, Sanitation and Environment, attached hereto, is hereby adopted.

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#### **Section 3. Severability**

Should any provision, section, paragraph, sentence, clause or phrase of this Ordinance or its application to any person or circumstance be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation,

such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

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**Section 4. Repeal**

Any existing ordinances that may conflict with this ordinance are hereby repealed.

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**Section 5. Effective Date**

This Ordinance shall be in full force and effect five (5) days from and after its passage, approval, and publication in the manner required by law.

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**Section 6. Adoption Date**

ADOPTED by the City Council of the City of Long Beach, Pacific County, Washington at a regular open public meeting held the 4<sup>th</sup> day of February, 2013.

AYES \_\_\_\_ NAYS \_\_\_\_ ABSENT \_\_\_\_ ABSTENTIONS \_\_\_\_

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Robert E. Andrew, Mayor

ATTEST:

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David Glasson, City Clerk

## **Chapter 2**

### **PUBLIC NUISANCES**

**Section:**

- 5-2-1: Purpose and Intent
- 5-2-2: Definitions
- 5-2-3: Public Nuisance Declared and Defined
- 5-2-4: Specific Public Nuisances Enumerated
- 5-2-5: Penalty for Violation
- 5-2-6: Emergency Actions
- 5-2-7: Liability for Continuing Nuisance
- 5-2-8: Additional Relief
- 5-2-9: Conflicts; Controlling Provisions
- 5-2-10: Special City Responsibility Not Created
- 5-2-11: Severability

#### **5-2-1: PURPOSE AND INTENT:**

- A. The purpose of this chapter is to exercise the City's police power in order to provide for protection of public health, safety, and welfare of the citizens of the City of Long Beach and to promote economic development of the City by proscribing those nuisances which equally affect the rights of an entire community.
- B. It is also the purpose of this chapter to prevent and prohibit those conditions which reduce the value of private property; interfere with the enjoyment of public and private property; create and constitute fire and other safety and health hazard; generally create a menace to the health and welfare of the public; degrade the character of neighborhoods; and depreciate property values.
- C. It is necessary for the public health, safety, and welfare to regulate, prevent, and prohibit conditions that may constitute disorderly, disturbing, unsafe, unsanitary, vermin producing or harboring, and/or disease-causing places, conditions, or objects.
- D. It is also necessary for the public social and economic welfare to regulate, prevent, and prohibit conditions which degrade the City's scenic attractiveness, livability, and economic development.
- E. The presence of litter, overgrown and/or uncultivated vegetation, and other forms of waste or various hazards require an emphasis on measures to correct those conditions, which are injurious to the public health, safety, and general welfare.

- F. It is the intent of the City to establish efficient administrative procedures to enforce the regulations of the city, to provide a prompt process to address alleged violations, and to establish standards to be used by the City to abate public nuisances.
- G. This chapter further serves to establish procedures, as authorized by RCW 35.22.280 and other laws, both State and City, providing for the enforcement of the provisions herein.

## **5-2-2: DEFINITIONS:**

For the purpose of this chapter, the definitions for certain terms, phrases, words, and their derivatives that are included within this section shall apply, unless otherwise specified or unless the context or meaning clearly indicates otherwise. Terms, phrases, and words used in the singular also include the plural and the plural the singular. Where terms, phrases, and words are not defined within this chapter, they shall have their ordinary, accepted meaning within the context in which they are used.

**ABATE:** To remedy a condition which constitutes a civil violation or an unsafe condition by such means, in such a manner, and to such an extent as the city official determines is necessary in the interest of the general health, safety, and welfare of the community.

**ACT:** Do or perform something; anything done, being done, or to be done; performance; deed.

**ATTRACTIVE NUISANCE:** Any object or condition which can reasonably constitute a hazard or danger and which is accessible to unauthorized persons.

**CONTROL:** The ability to regulate, restrain, dominate, counteract, or govern property or conduct that occurs on a property.

**HEARING EXAMINER:** The individual selected by the Mayor as provided in section 1-8-1 of this code.

**LITTER:** Includes, but is not limited to, debris in the form of cans, bottles, glass, paper, ashes, plastic materials, garbage, wastepaper, packing material, scrap iron, wire, metal articles, discarded furniture and appliances, junk, broken stone or cement, scrap wood, pallets, tires, discarded building materials, inoperable vehicles, inoperable bicycles, or bicycle parts, rags, boxes, crates, packing cases, mattresses, bedding, tree and vegetation trimmings, and all other waste, discarded or abandoned material, or trash, which are a menace to the public health, safety, or welfare.

**NUISANCE:** See section 5-2-3.

**OWNER:** Any person with interest in or dominion over real estate as indicated in the records of the Pacific County Tax Assessor, or who establishes under this chapter his or her ownership interest therein.

**PERSON:** Any individual or any entity, whether public or private.

**PERSON RESPONSIBLE:** The person responsible for abating a nuisance, which normally shall be the Owner. Also termed "responsible party."

**PREMISES (PROPERTY):** Used interchangeably herein, any building, lot, tax parcel, dwelling, rental unit, real estate, or land, or portion thereof, whether improved or unimproved,

including, but not limited to, property used as residential or commercial property and may include the adjacent “public right-of-way” as defined herein, and adjacent sidewalks or parking strip.

**PUBLIC OFFICIAL:** For purposes of this chapter, the Mayor or any designated alternate empowered by ordinance or by the Mayor to enforce a City of Long Beach ordinance or regulation, including but not limited to the City Administrator, Police Chief, Fire Chief, Fire Marshal, Building Official, Community Development Director, or their respective designees.

**PUBLIC NUISANCE:** See section 5-2-3, and includes a condition that affects equally the rights of a community or neighborhood, although the extent of the damage may be unequal.

**PUBLIC RIGHT-OF-WAY:** The area of land, the right of passage of which is secured by the City for public purposes and includes the traveled portion of public streets and alleys, as well as the border area, which includes, but is not limited to, any sidewalks, driveway approaches, planting strips, traffic circles, parkways or medians, or that area between the sidewalk and the curb line.

**RESPONSIBLE PARTY:** Any person required by the applicable regulation to comply therewith, normally the owner(s) of the property where a civil violation may occur, is occurring, or did occur. Also termed “person responsible.”

**SCREENING:** For the purposes of this chapter, shall include, but not be limited to, solid wood fencing, chain link fencing with slats, and/or solid landscaping capable of concealing something from public view by standing individuals at or near the property lines.

**VEHICLE:** Except as otherwise specifically defined herein, shall include, but not be limited to, automobiles, motorcycles, trucks, motorized recreational vehicles, campers, travel trailers, boats on or off trailers, or utility trailers.

### **5-2-3: PUBLIC NUISANCE DECLARED AND DEFINED:**

- A. Declaration; Abatement. Each of the conditions listed in section 5-2-3, unless otherwise permitted by law, is declared to constitute a public nuisance, and whenever a public official determines that any of these conditions exist upon any premises, the official may require or provide for the abatement thereof pursuant to this chapter and Title 14.
- B. Nuisance Defined. Unless the context or the use of the term in a particular section or the specific language of this chapter otherwise provides or requires, for purposes of this chapter, a “nuisance” or “public nuisance” consists of an occupation, use of property, thing, unlawfully doing an act, doing an unlawful act, omitting to perform a duty, or permitting an action or condition to occur or exist which:
  - 1. Unreasonably annoys, injures, or endangers the comfort, repose, health, or safety of the public or others; or
  - 2. Unreasonably offends decency; or
  - 3. Is unreasonably offensive to the senses; or



4. Unlawfully interferes with, obstructs or tends to obstruct, or renders dangerous for passage or use any lake, stream, canal, or basin, or any public park, square, street, alley, highway, or right-of-way in the city; or
5. Unlawfully interferes with, damages, or pollutes designated habitat areas, critical areas or their buffers, open spaces, restoration sites, or tributaries, and similar areas thereto; or
6. In any way renders other persons unreasonably insecure in life or the use of property; or
7. Unreasonably obstructs the free use of property so as to essentially interfere with the comfortable enjoyment of life and property; or
8. Results in an attractive nuisance; or
9. Creates or permits the existence or continuance of any of the specific nuisances identified in this chapter.

#### **5-2-4: SPECIFIC NUISANCES ENUMERATED:**

- A. The construction, maintaining, using, placing, depositing, causing, allowing, leaving, or permitting to be or remain—whether in or upon any private or public lot, building, structure, or premises, or on, in, or upon any right-of-way, street, avenue, alley, park, parkway, or other public or private place in the city—any one or more of the following places, conditions, things, or acts is hereby declared to constitute a public nuisance:
  1. Accumulations of Solid Waste, Manure. Accumulations of manure, rubbish or other solid waste, whether on land or in a vehicle; provided, that a compost pile so covered or concealed as not to affect the health, safety, or value of adjacent property shall not be so deemed.
  2. Water Pollution.
    - a. Pollution of a body of water, spring, stream, or drainage ditch by sewage, industrial wastes, or other substances that cause harmful material to pollute the water.
    - b. Ponds or pools of stagnant water, except those areas of wetlands as designated by city, federal, or state laws, rules, or regulations.
    - c. Violation of Revised Code of Washington (RCW) 90.48: Water Pollution Control, specifically RCW 90.48.080: Discharge of Polluting Matter in Waters Prohibited.
  3. Tree Limbs Overhanging Street or Sidewalk. All limbs or trees overhanging a public sidewalk or alley which are less than nine feet (9') above the surface of said sidewalk or overhanging a city street which are less than fourteen feet (14') above the surface of said

street; any foliage which obstructs to any degree any stop sign, speed sign, or other traffic control device.

4. Offensive Premises.

- a. Premises or residences that are in such a state of decay as to cause an offensive odor, extending beyond the property line; or
- b. Premises or residences that are in an unsanitary condition; or
- c. Premises or residences that create or constitute an unreasonable risk of fire or public safety hazard for adjoining property owners, whether public or private.

5. Privies, Cesspools. Privies, vaults, cesspools, sumps, or like places that are not securely protected from flies and/or rats, or that are foul or malodorous.

6. Abandoned Refrigerators, Ice Boxes. Unused, abandoned, or discarded refrigerators, ice boxes, bathtubs, other appliances, or like containers that are left in any place exposed or accessible to children, whether such a place is outside any building or dwelling or within any unoccupied or abandoned building, dwelling, or other structure, or violation of RCW 9.03: Abandoned Refrigeration Equipment.

7. Junkyards, Dumping Grounds; Fencing. All places not properly fenced which are used or maintained as junkyards or dumping grounds, or for the wrecking, disassembling, repair, or rebuilding of vehicles, tractors, trailers, boats, or machinery of any kind, or for the storing or leaving of worn out, wrecked, or abandoned automobiles, trucks, tractors, or machinery of any kind or of any of the parts thereof, or for the storing or leaving of any machinery or equipment used by contractors or builders or by other persons, which said places are kept or maintained so as to essentially interfere with the comfortable enjoyment of life or property by others.

8. Open Pits or Swimming Pools. An open pit, hole, quarry, cistern, swimming pool, or other excavation without safeguards or barriers to prevent such places from being accessed or used by children. This subsection shall not apply to authorized construction projects with reasonable safeguards to prevent injury or death, especially to children.

9. Depositing or Burning Rubbish. The depositing or burning of, or causing to be deposited or burned in any street, alley, sidewalk, park, parkway, or other public place open to travel, any hay, straw, grass, grass clippings, papers, wood, boards, boxes, leaves, manure, or other rubbish or material, except by permission of the fire marshal, or violation of RCW 70.94: Washington Clean Air Act, specifically RCW 70.94.040: Causing or Permitting Air Pollution Unlawful - Exception. The use of trash burners, such as a burn barrel, to burn household trash on private property is prohibited.

10. Dead, Diseased, or Substantially Damaged Trees. The existence of any dead, diseased, infested, broken, or dying tree that may constitute a danger to property or

persons. No tree, bush, or shrub on property that abuts upon a street or public sidewalk shall interfere, in any manner, with street or sidewalk traffic.

11. Shrubs Constituting Fire Hazard. All shrubs, bushes, trees, or vegetation that are in such a condition—whether as the result of size, flammability, or state of decay—so as to constitute a fire hazard.

12. Cans, Bottles, Trash; Containers Required. Any tin cans, bottles, glass, cans, ashes, wire, pipe, metal pieces or articles, plaster, and all other trash or abandoned material, unless the same is kept in covered bins or metal receptacles approved by the city administrator. This provision does not apply to recyclables kept in approved containers.

13. Barrels, Boxes, Crates; Neat Piles Required. Any trash, litter, rags, accumulations of empty barrels, boxes, crates, packing cases, mattresses, bedding accessories, packing hay, straw, or other packing material, pipe, or metal, that is not neatly piled.

14. Lumber, Roofing and Siding Materials. Lumber, roofing, or siding materials, logs, or pilings not so stacked, piled, or arranged as to be free from being dangerous to and/or accessible to children.

15. Items or Conditions Not Secured from Public Access. Any of the following not properly secured from access by the public:

- a. Any unsightly or dangerous building, billboard, or other structure; or
- b. Any abandoned, or partially destroyed building or structure; or
- c. Any building or structure commenced and left unfinished for a period of more than six (6) months from the date of the last completed work pursuant to the authority of an applicable valid building permit; or
- d. Storage of vehicles, materials, tools, or other objects contrary to the provision of any applicable section of this code.

16. Vehicle Repair on Street. Repairing upon the public rights-of-way, streets, alleys, or other public property of the City, any automobile, truck, or other motor vehicle or any other device required to possess a license issued by the department of motor vehicle/licenses of this state or the state of its registration, except for any emergency repairs not to exceed forty-eight (48) hours in any seven (7) day period and only so long as it is located (1) so as to not constitute a hazard or unreasonable interference to pedestrian or motor vehicle travel, and (2) so that the placement or storage upon these sites of vehicles, materials, or other objects during the allowable period for repair is not contrary to the provision of any applicable section of this code.

17. Unwholesome Meat, Dead Animals; Offensive Substances. Any putrid, unsound, or unwholesome bones, meat, hides, skins, skeletons, or other whole or part of any dead

animal, fish, or fowl; butcher's trimmings and offal; or any waste, vegetable, or animal matter, in any quantity; garbage; human excreta; or other offensive substance. Provided, however, that nothing contained in this chapter shall prevent the temporary retention of waste in receptacles in the manner approved by the City Administrator or the local disposal company.

18. Burning Refuse Prohibited; Smoke, Fumes. Except to the extent allowed by the lawful terms of a permit issued by the governmental authority having jurisdiction thereof, burning or disposal of refuse, sawdust, or other material in such a manner as to cause or permit ashes, sawdust, soot, or cinders to be cast upon the streets or alleys of the city, or to cause or permit dense smoke, noxious fumes, ashes, soot, or gases arising from such burning to become annoying or injurious to the health, comfort, or repose of the general public.

19. Plants Interfering. The existence of any shrubs, vines, or other plants growing into or over any street, sidewalk, public hydrant, pole, or electrolier; or the existence of any shrubs, vines, or other plants growing on, around, or in front of any hydrant, stand pipe, sprinkler system connection, or any other appliance or facility provided for fire protection purposes, in such a way as to obscure the view thereof or impair the access thereto, or as to obstruct or interfere with the proper diffusion of light from any streetlamp, or as to obstruct the vision or visibility of vehicle or pedestrian traffic.

20. Poisonous Substances. Any poisonous or harmful substance which is reasonably accessible to persons or to animals.

21. Dilapidated Fence or Structure Fronting on a Public Way. The existence of any screening, fence, or other structure or thing on private property abutting or fronting upon any public street, alley, sidewalk, or place which is in a sagging, leaning, falling, fallen, decayed, or other dilapidated or unsafe condition.

22. Poultry. Poultry that creates a nuisance, through noise, odor, unsightliness, or through unsanitary conditions.

23. Disposal of Animals. To dump or abandon living animals or dispose of dead animals within the City.

24. Obstructions to Clear View. All trees, hedges, billboards, fences, or other obstructions which prevent pedestrians or drivers from having a clear view of traffic approaching an intersection or which prevent drivers from having a clear view of pedestrians or other traffic in sufficient time to bring a motor vehicle driven at a reasonable speed to a full stop before the intersection is reached. Pursuant to the definition of "vision clearance triangle" found at 12-2-1 (Zoning, Definitions) of the Long Beach City code, nothing located within twenty feet (20') of the surveyed property corner may exceed forty two inches (42") in height.

25. Explosives, Flammable Liquids, Hazardous Substances. All explosives, flammable liquids, and other hazardous substances stored in any manner or in any amount other than that provided by ordinance.

26. Obstructing Flow of Transit Vehicles. For any person to obstruct or encroach upon public highways, streets, private ways, alleys, and ways open to the public, including cemeteries, or to unlawfully obstruct or impede the flow of municipal transit vehicles, as defined in Revised Code of Washington 46.04.355, as now existing or hereafter amended or succeeded, or passenger traffic, or to otherwise interfere with the provision or use of public transportation services, or to obstruct or impede a municipal transit driver, operator, employee, or supervisor in the performance of that individual's duties.

27. Offensive Businesses. For any person to erect, continue, or use any building or other structure or place for the exercise of any trade, activity, employment, or manufacture that is offensive or dangerous to the health of individuals or the public, by occasioning obnoxious, hazardous, or toxic exhausts or emissions, offensive smells, or otherwise.

28. Impeding Flows of Stream, Body of Water, Drainage Ditch. Any person without legal authority to cause or to allow the obstruction or impeding of the passage or flow of any stream, canal, drainage ditch, or body of water.

29. Places Where Liquor, Cigarettes, or Controlled Substances are Unlawfully Stored, Used, or Sold. Any place wherein intoxicating liquors, cigarettes, or controlled substances are kept for unlawful use, sale, or distribution.

30. Weeds, Trash, Offensive Matter. Any weeds, trash, dirt, filth, the carcass of any animal, waste, shrubs, an accumulation of lawn or yard trimmings in excess of one cubic yard (1 CY) or other offensive matter.

31. Materials Endangering Property. Any accumulation of materials or objects in a location when the same endangers property or safety or constitutes a fire hazard.

32. Sidewalks Out of Repair. The existence of a sidewalk or a portion of a sidewalk adjacent to any premises that is out of repair and is either in a condition that endangers persons or property or is in a condition that interferes with the public convenience in the use of such sidewalk.

33. Unlawful Obstruction to Public Ways. The existence of any obstruction to a street, alley, crossing, or sidewalk, where the obstruction is by ordinance prohibited or where the obstruction is made without lawful permission, or where the obstruction, having been originally made by lawful permission, is kept and maintained for an unreasonable length of time after the purpose thereof has been accomplished.

34. Maintaining Building or Premises in Disorderly or Unsanitary Condition. The erecting, maintaining, using, placing, depositing, leaving, or permitting to be or remain in or upon any private lot, building, structure, or premises, or in or upon any street, alley,



sidewalk, park, parkway or other public or private place in the City, including inside a vehicle, any one or more of the following disorderly, disturbing, unsanitary, vermin producing or harboring, disease-causing places, conditions, or things:

- a. Any putrid, unhealthy, or unwholesome bones, meat, hides, skins, the whole or any part of any dead animal, fish, or fowl, or waste parts of fish, vegetable, animal matter in any quantity, or household garbage; but nothing herein shall prevent the temporary retention of waste in approved covered receptacles.
- b. Any filthy, littered, or trash-covered dwellings, cellars, house yards, barnyards, stable yards, factory yards, vacant areas in the rear of stores, vacant lots, houses, buildings, or premises.
- c. Any animal manure in any quantity that is not securely protected from flies or weather conditions or that is kept or handled in violation of any ordinance of the City.
- d. Any poison oak, poison ivy, Russian thistle, or other noxious weeds, and any of those plants listed by a state or federal agency as noxious or prohibited, such as those plants listed on Washington's noxious weed list such as but not limited to gorse and Scotch broom. This applies whether the plant is growing or otherwise; but nothing herein shall prevent the temporary retention of such plants in approved covered receptacles.
- e. Any bamboo that is not contained within a barrier. The barrier can be plastic, metal, or concrete, but it must completely contain the bamboo. Pre-existing in-ground plantings that are not left untended are exempt from this provision, except that the person responsible must take all reasonable action to prevent the plant from invading the property of another, and bamboo growth that crosses the property line of another is a nuisance that must be abated.
- f. The use of a tarp, plastic sheeting, canvas, or other temporary material(s) on any roof, wall, fence, or any portion thereof for more than six (6) months from the date of its first use.
- g. Any structure that is damaged more than fifty percent (50%) of its value that is either not demolished within six (6) months of its initially being damaged or whose reconstruction has not begun in six (6) months and been completed in two (2) years of its initially being damaged.
- h. Any exterior portion of a structure (roof, wall, deck, porch, accessory structure) or any portion thereof damaged more than fifty percent (50%) that is not repaired within six (6) months of its initially being damaged.
- i. Any bottles, cans, glass, ashes, pieces of scrap metal, wire, metal articles, bric-a-brac, broken stone or cement, broken crockery, broken glass, broken plaster, and all

such trash, or abandoned material, unless such is kept in approved covered receptacles.

j. Any trash, litter, rags, accumulations of empty barrels, boxes, crates, packing cases, mattresses, bedding, excelsior, packing hay, straw or other packing material, lumber not neatly piled, scrap iron, tin or other metal not neatly piled, or anything whatsoever in which flies or rats may breed or multiply, or which may be a fire hazard.

k. Any dune grass in excess of three feet (3') in height or any domestic landscaping grass or sod in excess of one foot (1') in height.

l. Any violation of Pacific County Health Ordinance No. 1.

35. Storage of Unhealthful Items. Storing outside a completely enclosed building items that constitute a threat to the public health, safety, or welfare, including, but not limited to, the following: scrap rope, rags, batteries, paper, trash, rubber debris, tires, waste, used lumber or salvaged wood, machinery or appliances or parts of such machinery, tools, vehicular component parts, iron, steel, household goods or hardware, medications, medical supplies, or medical devices.

36. Unfinished or Unauthorized Construction. Any building or structure where construction was commenced and the building or structure was left unfinished for more than six (6) months from the date building commenced or any building or structure that has been constructed or modified without permits pursuant to Long Beach City Code 10-2-4: Building Permits and Fees. This shall include any unauthorized work or noncompliant work taking place on private property or in the public right-of-way, with or without a permit, or which is otherwise in violation of any City ordinance.

37. Drainage over Sidewalks. The existence of any drainage onto or over any sidewalk or public pedestrianway.

**5-2-5: PENALTY FOR VIOLATION:** Every person who violates any provision of this chapter has committed a civil violation and shall be subject to the provisions herein and the provisions of Title 14, "Enforcement Procedures." The person responsible for any violation of this chapter at all residential dwellings, commercial establishments, and/or real estate shall be responsible for compliance with this chapter and liable for any damages or costs incurred and awarded under this chapter and Title 14.

**5-2-6: EMERGENCY ACTIONS:** If the public official determines that a nuisance exists which is an imminent and emergent threat to public health, safety, or welfare, and constitutes an emergency requiring immediate abatement, the city may perform any emergency action necessary to abate the nuisance with or without prior notice.

**5-2-7: LIABILITY FOR CONTINUING NUISANCE:** Every successive person responsible who neglects to abate a continuing nuisance upon or in the use of a property caused by a former person responsible is liable therefor in the same manner as the former person(s) responsible.

**5-2-8: ADDITIONAL RELIEF:** Nothing in this chapter shall preclude the City from seeking any other relief, as authorized in other provisions of the Long Beach City code. Enforcement of this chapter is supplemental to all other laws adopted by the city.

**5-2-9: CONFLICTS; CONTROLLING PROVISIONS:** In the event of a conflict between this chapter and any other provisions of this code or other ordinance providing a civil penalty, this chapter shall control.

**5-2-10: SPECIAL CITY RESPONSIBILITY NOT CREATED:** This chapter shall not be construed to create any special responsibility of the City. No person shall rely on the City to know if any condition constitutes a public nuisance, nor shall any person rely on the City to abate a public nuisance known or unknown. It is solely the right of the City to make the decision to expend city resources to issue a Notice of Violation or a Notice of Violation and Abatement, as provided in Title 14, or to abate or not abate a public nuisance.

**5-2-11: SEVERABILITY:** If any provision or section of this chapter shall be held to be void or unconstitutional, all other parts, provisions, and sections of this chapter not expressly so held shall continue in full force and effect.

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**CITY COUNCIL  
AGENDA BILL  
AB 13-05**

**Meeting Date: February 4, 2013**

**AGENDA ITEM INFORMATION**

**SUBJECT:** Public Hearing on and possible adoption of Ordinance 887a: Fully Revised Title 14: Enforcement Procedures

**Originator:**

Mayor

City Council

City Administrator

City Attorney

City Clerk

City Engineer

Community Development Director

GB

Finance Director

Fire Chief

Police Chief

Streets/Parks/Drainage Supervisor

Water/Wastewater Supervisor

Other:

**COST:** N/A

**SUMMARY STATEMENT:** This is a substantial ordinance revision that has undergone public, staff, and Council review and comment. The Council is required to hold a public hearing on this matter to receive additional public comment. If the Council determines it is appropriate, it may also adopt the ordinance once the hearing is closed. The Council may also combine this hearing with the hearing for Ordinance 887 (please see AB 13-04).

**RECOMMENDED ACTION:** Conduct a public hearing on Ordinance No. 887a. If the Council determines it is appropriate, adopt Ordinance 887a.



## ORDINANCE No. 887a

### **AN ORDINANCE OF THE CITY OF LONG BEACH, WASHINGTON ADOPTING A FULLY REVISED TITLE 14 - ENFORCEMENT PROCEDURES, AND PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT**

**WHEREAS**, the City Council deems it necessary for the purpose of promoting the public health, safety and general welfare of the City; and

**WHEREAS**, The purpose of the Enforcement Procedures Ordinance is to exercise the City's police power in order to provide for protection of the public health, safety, and welfare of the City of Long Beach, to promote economic development of the City by facilitating enforcement of City codes, and to ensure due process for those Responsible Parties upon whom the City may enforce its codes; and

**WHEREAS**, the City has undertaken a public process to receive input from its citizens, property owners, and decision-makers; and

**WHEREAS**, the City has reviewed and considered all public comments;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LONG BEACH,  
WASHINGTON, DOES ORDAIN AS FOLLOWS:**

#### **Section 1. Findings**

The City Council of the City of Long Beach hereby adopts the following Findings of Fact:

- (1) The proposed ordinance is necessary to protect the health, safety, general welfare and orderly development of the community.
- (2) The proposed ordinance is consistent with the City's adopted Comprehensive Plan.
- (3) The proposed ordinance furthers the implementation of the city's adopted Comprehensive Plan.

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#### **Section 2. Adoption**

Title 14 – Enforcement Procedures, attached hereto, is hereby adopted.

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#### **Section 3. Severability**

Should any provision, section, paragraph, sentence, clause or phrase of this Ordinance or its application to any person or circumstance be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation,

such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

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**Section 4. Repeal**

Any existing ordinances that may conflict with this ordinance are hereby repealed.

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**Section 5. Effective Date**

This Ordinance shall be in full force and effect five (5) days from and after its passage, approval, and publication in the manner required by law.

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**Section 6. Adoption Date**

ADOPTED by the City Council of the City of Long Beach, Pacific County, Washington at a regular open public meeting held the 4<sup>th</sup> day of February, 2013.

AYES \_\_\_\_ NAYS \_\_\_\_ ABSENT \_\_\_\_ ABSTENTIONS \_\_\_\_

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Robert E. Andrew, Mayor

ATTEST:

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David Glasson, City Clerk

## Chapter 1

### GENERAL PROVISIONS

#### Section:

- 14-1-1: Title
- 14-1-2: Application
- 14-1-3: Purpose and Authority
- 14-1-4: Conflicts
- 14-1-5: Meaning of Terms
- 14-1-6: Severability
- 14-1-7: Not Exclusive

**14-1-1: TITLE:** This title shall be known as the *ENFORCEMENT PROCEDURES ORDINANCE OF THE CITY OF LONG BEACH*, referred hereinafter as “this title.”

**14-1-2: APPLICATION:** The provisions of this title shall apply to the enforcement of Title 5, Chapter 2, “Public Nuisances”; Title 10, “Building Regulations”; Title 11, “Unified Development”; Title 12, “Zoning Regulations”; and Title 13, “Critical Areas Regulations,” unless specifically addressed elsewhere in this code.

**14-1-3: PURPOSE AND AUTHORITY:** The purpose of this title is to establish an effective and efficient system to enforce regulations of the City of Long Beach; to provide an opportunity to correct alleged violations of such regulations; to establish monetary penalties for violations as authorized by Revised Code of Washington 35A.11.020; to provide for an appeal process on an alleged violation; and to establish a standard procedure to be used by the City to abate unsafe or unlawful conditions.

**14-1-4: CONFLICTS:** In the event of a conflict between this title and any other provision of this code or city ordinances providing for a civil penalty, this chapter shall control.

**14-1-5: MEANING OF TERMS:** For the purposes of this code, whenever the terms “civil infraction” and “civil penalty” are used in any code, ordinance, or regulation of the city, those terms shall be deemed to have the same meanings as the terms “civil violation” and “monetary penalty,” respectively, as used herein.

**14-1-6: SEVERABILITY:** If any one or more sections, subsections, or sentences of this title are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this title and the same shall remain in full force and effect.

**14-1-7: NOT EXCLUSIVE:** The provisions of this title are not exclusive, and may be used in addition to other enforcement provisions authorized by this code, except as precluded by law.

## Chapter 2

### DEFINITIONS

Section:

14-2-1: Terms Defined

**14-2-1: TERMS DEFINED:** Any term not herein defined shall have its customary or commonly accepted meaning.

**ABATE:** To remedy a condition which constitutes a civil violation or an unsafe condition by such means, in such a manner, and to such an extent as the city official determines is necessary in the interest of the general health, safety, and welfare of the community.

**ACT:** Do or perform something; anything done, being done, or to be done; performance; deed.

**CERTIFICATE OF COMPLAINT:** A document filed with the Pacific County Auditor, stating that a property has been determined to be in violation of a relevant title of the Long Beach City code.

**CIVIL INFRACTION:** A non-criminal violation for which a monetary penalty ("civil penalty") may be imposed as specified in this title. Each day or portion of a day during which a violation occurs is a separate violation. Also termed "civil violation."

**CIVIL VIOLATION:** A non-criminal violation for which a monetary penalty ("civil penalty") may be imposed as specified in this title. Each day or portion of a day during which a violation occurs is a separate violation. Also termed "civil infraction."

**CIVIL PENALTY:** A financial penalty or fine imposed as restitution for violation(s) of a relevant City code. Also termed "monetary penalty."

**DEVELOPMENT:** The erection, alteration, enlargement, construction, relocation, demolition, maintenance, or use of any structure; or the division, alteration, or use of land above, at, or below ground or water level; or any change in the use of land, a building, or a structure that requires a permit; and all acts authorized by a city permit or regulation.

**EMERGENCY:** A situation where a city official determines that immediate action is required to prevent or eliminate threat to the health, safety, or welfare of persons or property or to the environment. Also termed "unsafe condition."

**MONETARY PENALTY:** A financial penalty or fine imposed as restitution for violation(s) of a relevant City code. Also termed "civil penalty."

**OMISSION:** The failure to act.

**OWNER:** Any person, including any natural person or entity having legal interest in real estate as indicated in the records of the Pacific County Tax Assessor, or who establishes his or her ownership interest therein.

**PERSON:** Any individual or any entity, whether public or private.

**PERSON RESPONSIBLE:** Any person required by the applicable regulation to comply therewith, normally the owner(s) of the property where a civil violation may occur, is occurring, or did occur. Also termed “responsible party.”

**PUBLIC OFFICIAL:** For purposes of this chapter, the Mayor or any designated alternate empowered by ordinance or by the Mayor to enforce a City of Long Beach ordinance or regulation, including but not limited to the City Administrator, Fire Chief, Fire Marshal, Building Official, Community Development Director, or their respective designees.

**REGULATION:** Means and includes the following as now or hereafter amended:

- A. Title 5, Chapter 2, Public Nuisances; Title 10, Building Regulations; Title 11, Unified Development; Title 12, Zoning Regulations; Title 13, Critical Areas Regulations of this code.
- B. All standards, regulations, and procedures adopted pursuant to the above.
- C. The terms and conditions of any permit or approval issued by the City, or any concomitant agreement with the City pursuant to any title identified in section 14-1-1(A).

**REPEAT OFFENDER:** A responsible party that has been issued two (2) or more Notices of Violation or Notice of Violation and Abatement or a combination thereof, as defined in this title within a period of twelve (12) months. Also refers to a tax parcel where multiple violations occur within twelve (12) months.

**RESPONSIBLE PARTY:** Any person required by the applicable regulation to comply therewith, normally the owner(s) of the property where a civil violation may occur, is occurring, or did occur. Also termed “person responsible.”

**UNSAFE CONDITION:** A situation where a city official determines that immediate action is required to prevent or eliminate threat to the health, safety, or welfare of persons or property or to the environment. Also termed “emergency.”

**VIOLATION:** An act or omission contrary to a City of Long Beach regulation. Also, a condition resulting from such act or omission.

**VIOLATION, REPEAT:** Except as noted below, a violation of the same regulation in any location by the same person within two (2) years.

**VIOLATION, REPEAT - NUISANCE:** A violation of the same regulation found in Title 5, Chapter 2, “Public Nuisances” in any location by the same person within the immediately preceding twelve (12) consecutive month period, and for which a Notice of Violation or a Notice of Violation and Abatement or a combination thereof has previously been issued.

## **Chapter 3**

### **METHODS OF ENFORCEMENT**

Section:

- 14-3-1: Enforcement Method No. 1: Voluntary Compliance
- 14-3-2: Enforcement Method No. 2: Notice of Violation and Abatement
- 14-3-3: Enforcement Method No. 3: Notice of Violation, Civil Penalty, and Abatement

There are three (3) methods of enforcement available to the City:

1. Voluntary compliance;
2. Notice of Violation and Abatement; and
3. Notice of Violation, civil penalty and notice thereof, abatement.

#### **14-3-1: ENFORCEMENT METHOD NO. 1: VOLUNTARY COMPLIANCE:**

- A. Applicability. When the public official determines that purposes of an ordinance will be best served through a Voluntary Compliance Agreement between the City and the person responsible for a violation of a regulation, the City may enter into such an Agreement.
- B. Requesting Voluntary Compliance: The public official may, but is not required to, pursue a reasonable attempt to secure voluntary correction by contacting the person responsible for the violation, explaining the violation, and requesting correction.
- C. Voluntary Compliance Agreement: The Voluntary Compliance Agreement is a contract between the City and the person responsible for the violation. In this contract the person responsible agrees to abate the violation within a specified time and according to specified terms. The Voluntary Compliance Agreement shall include the following:
  1. Name and address of the person(s) responsible for the violation;
  2. Street address or description sufficient for identification of the building, structure, premises, or land upon or within which the violation has occurred or is occurring;
  3. Description of the violation(s) and a reference to the provision(s) of the Long Beach City code, ordinance, or regulation that has been violated;
  4. Description of the necessary corrective action(s) required to abate the public nuisance or unsafe condition, and the date(s) and time(s) by which corrective action(s) must be completed;

5. Statement that if any term of the voluntary compliance agreement is not met, the person responsible for the violation agrees the City of Long Beach may abate the violation and recover its costs and expenses and assess the person responsible a monetary penalty pursuant to this title ; and
  6. Identification of the department investigating the case, name of the case manager, and contact information.
- D. Time Extension. An extension of the time limit for correction or a modification of the required corrective action(s) may be granted by the public official if the official determines the person responsible for the violation has shown due diligence and/or substantial progress in correcting the violation but unforeseen circumstances render correction under the original terms of the Voluntary Compliance Agreement unattainable.
  - E. Abatement by the City. The City may abate the violation in accordance with section 14-5-1 of this chapter if any term of the Voluntary Compliance Agreement is not met.
  - F. Assessment of Penalties and Costs. If any term of the Voluntary Compliance Agreement is not met, the person responsible for the violation shall be assessed a monetary penalty commencing on the date set for correction to be completed as stated in the Agreement and thereafter in accordance with subsection 14-3-3 (D) through (I) of this title, plus any actual costs and expenses of abatement incurred by the City, as set forth in section 14-3-3 of this title.

**14-3-2: ENFORCEMENT METHOD NO. 2: NOTICE OF VIOLATION AND ABATEMENT:**

- A. When a public official has a reasonable belief that a violation has occurred or is occurring, the public official may issue a Notice of Violation and Abatement. This notice shall clearly describe the code violation(s), required corrective action(s) to abate the violation, schedule of performance, and alternative actions available to the responsible party and the City.
- B. The Notice of Violation and Abatement shall contain the following:
  1. Name and address of the person responsible for the violation;
  2. Street address or description sufficient for identification of the building, structure, premises, or land upon or within which the violation has occurred or is occurring;
  3. Description of the violation(s) and a reference to the provision(s) of the Long Beach City code, ordinance, or regulation that has been violated;
  4. Description of the necessary corrective action(s) required to abate the public nuisance or unsafe condition, which may include corrections, repairs, demolition, removal, or any other appropriate action;



5. Statement that required corrective action(s) must be taken within thirty (30) calendar days from the date of the Notice of Violation and Abatement, after which the City may abate the public nuisance in accordance with the provisions of this chapter; except that if the public official determines that a longer time than thirty (30) days is necessary to complete the required corrective action(s), an alternative reasonable, specific time may be set by the public official;

6. Statement that the responsible party to whom a Notice of Violation and Abatement is directed may request an appeal proceeding by the Long Beach Hearing Examiner by means of a Notice of Appeal pursuant to section 14-4-1(A). Such notice must be in writing and must be received by the City Clerk, no later than fourteen (14) calendar days after the Notice of Violation and Abatement has been issued;

7. Statement that if the responsible party to whom the Notice of Violation and Abatement is issued fails to submit a Notice of Appeal within fourteen (14) calendar days of issuance or fails to voluntarily abate the nuisance within the time specified in the Notice of Violation and Abatement, the City may abate the nuisance;

8. Statement that all actual costs and expenses of abatement incurred by the City may be assessed against the Owner of the abated property named in the Notice of Violation and Abatement and, further, that failure to pay said costs may result in a lien against the property; and

9. Identification of the department investigating the case, name of the case manager, and contact information.

C. Service. The Notice of Violation and Abatement must be served upon the person responsible for the violation and, if the Owner of the relevant property is not the person responsible for the violation, then also upon the Owner. Proof of service shall be made by a written declaration under penalty of perjury executed by the person effecting the service, declaring the time and date of service, the manner by which the service was made, and, if service was made by posting, the facts showing that due diligence was used in attempting to serve the person personally or by mail. Service shall occur using one of the following methods:

1. By mailing, via both regular first-class mail and certified mail, to the address of the property owner as indicated in the records of the Pacific County Tax Assessor, and to the address of the person responsible at their last known address; or

2. By personal service; or

3. If the person to whom it is directed cannot, after due diligence, be personally served within Pacific County and if an address for mailed service cannot, after due diligence, be ascertained, then notice shall be served by posting a copy of the Notice of Violation and

Abatement in a prominent location on the affected premises in a conspicuous manner that is reasonably likely to be discovered.

- D. Extension. No extension of the timeframe for corrective action specified in the Notice of Violation and Abatement or a modification of the required corrective action(s) may be granted, except by order of the public official. Any extension or modification should be granted only if the person responsible for the violation has shown due diligence and/or substantial progress in correcting the violation but unforeseen circumstances render correction under the original terms of the Notice unattainable.
- E. The City may abate the violation and collect costs and expenses in accordance with Chapter 5 of this title if required corrective action is not completed as specified in the Notice of Violation and Abatement.
- F. Monetary Penalties: If the required corrective action is not completed by the responsible party as specified in the Notice of Violation and Abatement and the City does not yet desire to use public resources to abate the property, the person responsible for the violation shall be assessed a monetary penalty commencing on the date set for correction to be completed and thereafter in accordance with subsections 14-3-3(D) through (I) of this chapter, plus any actual costs and expenses of abatement incurred by the City, as set forth in section 14-5-2 of this chapter.

**14-3-3: ENFORCEMENT METHOD NO. 3: NOTICE OF VIOLATION, CIVIL PENALTY AND NOTICE THEREOF, ABATEMENT:**

- A. Any person who violates any of the provisions of this chapter, at the discretion of the public official, may be assessed monetary (civil) penalties before the City initiates the abatement process referenced in this chapter. If the public official determines this alternative process is more likely to result in compliance, the public official may send a Notice of Violation, followed by imposition of civil penalties and abatement if appropriate.
- B. The Notice of Violation shall contain the following:
  - 1. Name and address of the person responsible for the violation;
  - 2. Street address or description sufficient for identification of the building, structure, premises, or land upon or within which the violation has occurred or is occurring;
  - 3. Description of the violation(s) and a reference to the provision(s) of the Long Beach City code, ordinance, or regulation that has been violated;
  - 4. Description of the necessary corrective action(s) required to abate the public nuisance or unsafe condition, which may include corrections, repairs, demolition, removal, or any other appropriate action;

5. Statement that required corrective action(s) must be taken within thirty (30) calendar days from the date of the Notice of Violation, after which the City may abate the public nuisance in accordance with the provisions of this chapter; except that if the public official determines that a longer time than thirty (30) days is necessary to complete the required action, an alternative reasonable, specific time may be set by the public official;
  6. Statement that abatement procedures, as described in this chapter, may be implemented if civil penalties reach more than \$1,000;
  7. Statement that the responsible party to whom a Notice of Violation is directed may request an appeal proceeding by the Long Beach Hearing Examiner by means of a Notice of Appeal pursuant to section 14-4-1(A). Such notice must be in writing and must be received by the City Clerk, no later than fourteen (14) calendar days after the Notice of Violation has been issued;
  8. Statement that all actual costs and expenses of abatement incurred by the City may be assessed against the Owner of the abated property named in the Notice of Violation and, further, that failure to pay said costs may result in a lien against the property; and
  9. Identification of the department investigating the case, name of the case manager, and contact information.
- C. Service. The Notice of Violation must be served pursuant to the procedures described in section 14-3-2(C).
- D. Civil Penalty. At the end of the timeframe specified in the Notice of Violation, the property or building will be reinspected to see if the condition has been completely abated. If the condition has been completely abated, the case will be closed. If the condition has not been completely abated, civil (monetary) penalties will be assessed, as provided in this section, and a Notice of Civil Penalty will be issued to the responsible party and the property owner.
- E. The Notice of Civil Penalty shall be served pursuant to the procedures described in section 14-3-2(C).
- F. The Notice of Civil Penalty shall contain the following:
1. Address of the site;
  2. Specified timeframe for correcting the violation or submitting an acceptable work schedule;
  3. Statement that civil penalties have been imposed, setting forth the date such monetary penalties began or will begin, usually the first day of service;

4. Statement that civil penalties will continue to accumulate in the amounts specified in this chapter until the nuisance or hazard condition is corrected;
  5. Abatement procedure(s) that may be implemented by the City if civil penalties in excess of \$1,000 are assessed in trying to correct the condition; and
  6. Identification of the department investigating the case, name of the case manager, and contact information.
- G. Maximum Monetary Penalty. The maximum monetary (civil) penalty for each separate violation per day or portion thereof shall be as follows:
1. First day of each violation (the first day is the date of service): One hundred dollars (\$100.00);
  2. Second day of each violation: Two hundred dollars (\$200.00);
  3. Third day of each violation: Three hundred dollars (\$300.00);
  4. Fourth day of each violation: Four hundred dollars (\$400.00);
  5. Each additional day of each violation beyond four (4) days: Five hundred dollars (\$500.00) per day.
- H. Civil penalties will continue to accumulate until the condition is completely abated, and, if the total assessed penalty exceeds \$1,000, the public official may decide to initiate an abatement proceeding, as provided in this chapter. At such time that the assessed civil penalty exceeds \$1,000, a Certificate of Complaint may be filed with the Pacific County Auditor to be attached to the title of the property. A copy of the Certificate of Complaint shall be sent to the property owner and, if it is determined that there are other parties of interest, then to those individuals as well.
- I. Each day that a property is not in compliance with the provisions of this chapter may constitute a separate violation of this chapter.

## **Chapter 4**

### **APPEAL PROCESS WITH HEARING EXAMINER**

Section:

14-4-1: Appeal Proceeding by the Hearing Examiner.

#### **14-4-1: APPEAL PROCEEDING BY THE HEARING EXAMINER:**

**A. Right to Appeal.**

1. A person to whom the City has issued a Notice of Violation and Abatement pursuant to section 14-3-2 of this title or a Notice of Violation pursuant to section 14-3-3 of this title, or any other person with a legal or equitable interest in the property that is the subject of such a notice, may request an appeal proceeding before a Hearing Examiner by filing a Notice of Appeal with the City Clerk. Such Notice of Appeal must be in writing and must be received by the City Clerk no later than fourteen (14) calendar days after the said notice is issued.

2. A person to whom a Notice of Civil Penalty has been issued pursuant to 14-3-2(G) or 14-3-3(D) through (I), or any other person with a legal or equitable interest in the property that is the subject of such a notice, may request an appeal proceeding before a Hearing Examiner by filing a request with the City Clerk by means of a Notice of Appeal. Such notice must be in writing and must be received by the City Clerk no later than ten (10) calendar days after the said civil penalty is issued.

**B. Each Notice of Appeal shall contain the name, address, and telephone number of the person requesting the appeal and the name, address, and telephone number of any person who will be present to represent him or her at the appeal proceeding.**

**C. Each Notice of Appeal shall set out the basis or bases for the appeal.**

1. An appeal regarding a Notice of Violation and Abatement issued pursuant to 14-3-2 or a Notice of Violation pursuant to 14-3-3 may challenge the legality or validity of the underlying violation, the required corrective action(s), or the required schedule for abatement.

2. Because the Owner or the person responsible for a violation has an opportunity to appeal the Notice of Violation and Abatement or the Notice of Violation pursuant to section 14-3-2(B)(6) or 14-3-3(B)(7), respectively, before any civil penalties are imposed, a hearing regarding civil penalties shall not provide another opportunity to challenge the legality or validity of the underlying violation, the required corrective action(s), or the required schedule for abatement.

- D. If a Notice of Appeal is received by the City, within fourteen (14) calendar days the public official shall mail a Notice of Appeal Proceeding, giving the time, location, and date of the appeal proceeding, by regular first-class mail to the person(s) to whom the Notice of Violation and Abatement, Notice of Violation, or Notice of Civil Penalty was directed.
- E. If an appeal is filed timely and completely, the Hearing Examiner will conduct the appeal proceeding required by this chapter no more than fourteen (14) calendar days after the public official issues the Notice of Appeal Proceeding, unless the Hearing Examiner or public official finds good cause to continue the matter to another date.
- F. Appeal Proceeding. The public official, as well as the person to whom the relevant notice was directed, may participate as parties in the proceeding and may be represented by counsel, and each party may call witnesses. The City shall have the burden of proof to establish, by a preponderance of the evidence, that a violation of this chapter has occurred and that the required corrective action(s) and schedule for abatement are reasonable, or that the civil penalty was assessed for noncompliance with this chapter and the regulations of the Long Beach City Code.
- G. Hearing Examiner Determination. The Hearing Examiner shall determine whether the City has established by a preponderance of the evidence that a violation of this chapter or other regulations of the City has occurred and the required corrective action or civil penalty is reasonable. The Hearing Examiner shall affirm, modify, or vacate the public official's decisions regarding the alleged violation(s), the required corrective action(s), and/or the civil penalty with or without written conditions.
- H. Final Order. Within ten (10) calendar days of the close of the appeal proceeding, the Hearing Examiner shall issue a written Final Order that contains the following information:
1. The decision regarding the alleged violation, including findings of facts and conclusions based thereon;
  2. The required corrective action(s), if any;
  3. The date by which the required corrective action(s) must be completed;
  4. The date after which the City may proceed with abatement, as outlined in Chapter 5 of this title, if the required corrective action(s) is not completed;
  5. A statement that the civil penalty is affirmed, reduced, or waived, if applicable;
  6. A statement of any appeal remedies;

7. A notice that if the City proceeds with abatement, a lien for the actual costs of said abatement may be assessed against the property if the costs of abatement are not paid in accordance with the provisions of this chapter.

- I. If the person to whom the relevant notice was directed fails to appear or submit something in writing at the scheduled hearing, the Hearing Examiner will enter a written Final Order finding the violation(s) has occurred or the civil penalty was reasonable and finding that abatement may proceed.
- J. The Final Order shall be served on the person by one of the methods stated in section 14-3-2(B) of this chapter.
- K. A Final Order of the Hearing Examiner may be appealed to a court of competent jurisdiction no more than twenty-one (21) calendar days after its issuance.

## **Chapter 5**

### **ABATEMENT**

#### **Section:**

- 14-5-1: Abatement Process
- 14-5-2: Recovery of Costs and Expenses
- 14-5-3: Hearing Regarding Cost of Abatement
- 14-5-4: Lien Authorized

#### **14-5-1: ABATEMENT PROCESS:**

- A. Access. Using any lawful means, the City may enter upon the subject property or premises and may remove or correct the condition that is subject to abatement. If the owner of the premises does not consent to entry, the City may seek such judicial process as it deems necessary to effect the removal or correction of such condition.
- B. Terms of Abatement. Property or premises are subject to abatement as provided in this chapter, including where an emergency exists, where the terms of a Voluntary Compliance Agreement have not been met, where required corrective action has not been timely completed after a Notice of Violation and Abatement has been issued, where a Notice of Violation and a Notice of Civil Penalty have been issued but the property or premises is still in violation, or where summary abatement, as described in 14-5-1(C), is necessary.
- C. Summary Abatement: Whenever any violation of a regulation causes an emergency where the continued existence of a condition constitutes an immediate or emergent threat to the public health, safety, or welfare or to the environment, the city may summarily and without prior notice abate the condition. Notice of such abatement, including the reason for it, shall be given to the person responsible for the violation as soon as reasonably possible after the abatement.

#### **14-5-2: RECOVERY OF COSTS AND EXPENSES:**

- A. Actual costs, including incidental expenses, of correcting the violation shall be billed to the person responsible for the violation or the property Owner. These costs shall become due and payable to the City of Long Beach no later than thirty (30) calendar days from the date of the invoice. The term "incidental expenses" includes, but is not limited to, personnel costs, both direct and indirect; attorney fees; costs incurred in documenting the violation; demolition, hauling, storage, and disposal expenses; filing fees; and actual expenses and costs of the City in preparing notices, specifications, and contracts, and in accomplishing and/or contracting and inspecting the work; the costs of any required printing or mailing; and any and all costs of collection.



- B. If the person responsible for the costs of abatement fails to remit payment in a timely manner, the City may file a lien against the real property for the cost of any abatement proceedings under this chapter, except that no lien shall attach to the real property if the Owner was found not responsible in the Final Order issued by the Hearing Examiner. A notice of the city's lien specifying the expenses incurred in abating the nuisance and giving the legal description of the premises sought to be charged shall be filed with the Pacific County Auditor within ninety (90) days from the date of the abatement. Such lien may at any time thereafter be collected in the manner provided for foreclosure of mechanic's liens under the laws of the State of Washington.
- C. In addition to a lien, the debt shall be collectible in the same manner as any other civil debt owing to the City, and the City may pursue collection of the costs of any abatement proceedings under this chapter by any other lawful means, including, but not limited to, referral to a collection agency.

#### **14-5-3: HEARING REGARDING COST OF ABATEMENT:**

- A. Any person sent an invoice for the costs due for abatement of a nuisance may request a hearing to determine if the costs should be assessed, reduced, or waived.
- B. A request for a hearing shall be made in writing and filed with the City Clerk no later than fourteen (14) calendar days from the date of the invoice.
- C. Each request for hearing shall contain the address and telephone number of the person requesting the hearing and the name and/or the name and address of any person who will be present to represent him or her.
- D. Each request for hearing shall set out the basis for the request.
  - 1. Because the property owner or other person responsible for the violation had an opportunity to appeal the Notice of Violation and Abatement, Notice of Violation, and/or Notice of Civil Penalty pursuant to section 14-4-1, before any abatement actions were taken, the hearing regarding the costs of abatement shall not provide another opportunity to challenge the legality or validity of the underlying violation, required corrective action(s), required schedule for abatement, or civil penalty.
- E. Failure to request a hearing within fourteen (14) calendar days from the date of the invoice shall be a waiver of the right to contest the validity of the costs incurred in abatement of the violation.
- F. If a hearing is requested, the Hearing Examiner will conduct the hearing no more than thirty (30) calendar days after the public official issues the Notice of Hearing, unless the Hearing Examiner or public official finds good cause to continue the matter to another date.

- G. If a hearing is requested, the public official shall mail a notice giving the time, location, and date of the hearing, by regular first-class mail, to the person or persons to whom the invoice for the costs of abatement was directed.
- H. If a hearing is conducted, the public official, as well as the person to whom the invoice for abatement costs was directed, may participate as parties in the hearing, may be represented by counsel, and may call witnesses. The City shall have the burden of proof to establish, by a preponderance of the evidence, that the abatement costs are reasonable.
- I. The Hearing Examiner shall issue a written order and determine whether the costs of abatement were reasonable and necessary. The Hearing Examiner may uphold the amount billed for the costs of abatement, reduce the amount billed, or waive the costs.
- J. The order of the Hearing Examiner is the final administrative decision. Such decision may be appealed in accordance with section 14-4-4(K).

**14-5-4: LIEN AUTHORIZED:**

- A. **Costs Included in Lien:** The City shall have a lien for any monetary penalty imposed, the cost of any abatement proceedings under this chapter, and all other related costs, including attorney and expert witness fees, against the real property on which the monetary penalty was imposed or any of the work of abatement was performed. The lien shall be subordinate to all previously existing special assessment liens imposed on the same property and shall be superior to all other liens, except for State and County taxes, with which it shall be on parity.
- B. The public official or city administrator shall file with the County Recorder a claim for lien within ninety (90) days from the later of the following dates: the date the monetary penalty is due, the date the work is completed, or the date the nuisance is abated.
- C. The claim of lien must contain sufficient information regarding the relevant notice as determined by the public official or city administrator, a description of the property to be charged with the lien and property owner of record, and the total amount of the lien.
- D. Any such claim of lien may be amended from time to time to reflect changed conditions.
- E. No such liens shall bind the affected property for a period longer than five (5) years, without foreclosure or an extension agreed to by the property owner.

## Chapter 6

### CRIMINAL PENALTIES

Section:

14-6-1: Knowing Violations; Alternative Criminal Penalties

14-6-2: Separate Offense

#### **14-6-1: KNOWING VIOLATIONS; ALTERNATIVE CRIMINAL PENALTIES:**

- A. Knowing Violation. Any person who knowingly violates or fails to comply with any of the provisions of Title 5, Chapter 2, Title 10, Title 11, Title 12, or Title 13 of this code, as amended, or any other titles of this code amended or adopted that make use of the provisions of this title, shall be guilty of a gross misdemeanor and, upon conviction thereof, may be punished by up to one year in jail and up to a five thousand dollar (\$5,000.00) fine. The City Administrator may request that the City Attorney prosecute such violations as an alternative to the civil penalty procedure outlined in this title.
- B. Obstruction. Unless otherwise provided herein, it is a gross misdemeanor for any person to obstruct, impede, or interfere with the City or its agents, or with any person who owns, or holds any interest or estate in any property, in performing any acts necessary to correct the violation. A person convicted of a violation of this subsection may be punished up to one year in jail and a five thousand dollar (\$5,000.00) fine or both.
- C. Except that any person who knowingly obstructs, impedes, or interferes with the City or its agents, or with the person responsible for the violation in the performance of duties imposed by Title 5, Chapter 2 shall be guilty of a misdemeanor punishable as provided in section 1-4-1 of this code.

**14-6-2: SEPARATE OFFENSE:** Each day that a violation of a regulation subject to enforcement under this title continues and each occurrence of a prohibited activity shall be deemed and considered a separate offense.

TAB

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TAB

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**CITY COUNCIL  
AGENDA BILL  
AB 13-06**

**Meeting Date: February 4, 2013**

**AGENDA ITEM INFORMATION**

***SUBJECT: RES 1301-1 A  
RESOLUTION OF THE  
CITY OF LONG BEACH,  
WASHINGTON,  
UPDATING, AMENDING  
AND MAKING  
ADDITIONS TO THE CITY  
OF LONG BEACH  
PERSONNEL POLICY***

***Originator:***

Mayor	
City Council	
City Administrator	GM
City Attorney	
City Clerk	
City Engineer	
Community Development Director	
Finance Director	
Fire Chief	
Police Chief	
Streets/Parks/Drainage Supervisor	

***COST: N/A***

Water/Wastewater Supervisor	
Other:	

***SUMMARY STATEMENT:*** These are additions and changes needed for our Personnel Policy.

***RECOMMENDED ACTION: Adopt Resolution.***

## RESOLUTION 2013-01

### A RESOLUTION OF THE CITY OF LONG BEACH, WASHINGTON, UPDATING, AMENDING AND MAKING ADDITIONS TO THE CITY OF LONG BEACH PERSONNEL POLICY

**WHEREAS**, the City of Long Beach has to make addition or amendments to the City Personnel Policy; and

**WHEREAS**, the cities need to amend, update or add to Long Beach Personnel Policies due to changes in State Law; and,

**WHEREAS**, the City must make such personnel updates, additions and amendments due to suggestions from the State Auditor's Office, therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LONG BEACH, WASHINGTON**, The Mayor and City Clerk are hereby authorized and directed to execute said personnel policies changes, additions and amendments, a copy of which is attached hereto and by this reference made part hereof, as the official act and deed of the City of Long Beach.

**Passed** this 4th day of February, 2013.

Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Absent \_\_\_\_\_

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

## **Z) USE OF CITY CREDIT CARDS**

- 1) Implementation. The Finance Director (or his/her designee) shall implement this system for the distribution, credit limits, payment of bills, authorization and control of cards, relating to the use of credit and purchasing cards by city officials, officers and employees.
- 2) Eligibility. All regular-status city employees and city officers/officials are eligible to receive a purchasing/credit card if authorized by the City Administrator and the Finance Director. Purchasing/credit cards may be checked out by the Finance Department to those city officials/officers and employees who are authorized to obtain a card because their job responsibilities would be facilitated by the use of a purchasing/credit card and such use would benefit the city. The act of obtaining a city purchasing/credit card does not indicate pre-approval of expenses.
- 3) Establishment of Card Limits. The Finance Department shall set a credit limit on the purchasing/credit card not to exceed \$2,500. No single purchase on the purchasing/credit card shall exceed \$2,500 without prior approval of the City Administrator or the Finance Director.
- 4) Official/Officer and Employee Responsibility.
  - a. Cardholders are accountable and responsible for the expenses charged on the card in their name or the city's name.
  - b. Purchasing /credit cards are to be used for city business only and not personal use. An agreement between the cardholder and the city must be executed before the card will be issued.
  - c. Purchasing/credit cards will not be used for personal expenses or cash advances. It may not be used as a substitute for professional service agreements, public works contracts and/or human services contracts.
  - d. The use of the purchasing/credit card does not relieve the cardholder from complying with other city and departmental policies and procedures. The card is not intended to replace effective procurement planning which can result in quantity discounts, reduced number of trips and more efficient use of city resources.

- e. The only person entitled to use the purchasing/credit card is the person who has been issued the card. Cards should be treated with extreme care in the same manner as a personal credit card. The cardholder will be responsible to report a lost or stolen card immediately to City Administrator or Finance Director.
- f. The cardholder must retain all receipts and reconcile their purchasing/credit card statement within the timelines set by the purchasing card administrator. The statement must be reconciled and submitted to the purchasing card administrator along with all receipts and a complete description of each product/service that was purchased if the information is not already on the receipt.
- g. Merchandise returns and billing errors are the cardholder's responsibility. The cardholder is responsible for resolving all disputes directly with the purchasing card vendor or the merchant. All charges must be paid on invoicing.
- h. If the cardholder will be absent from the city for an extended period of time (i.e., vacation), the cardholder is responsible for assigning and training an employee within his/her department to handle the account reconciliation responsibilities and meet established deadlines.
- i. If the card is used for the purpose of covering authorized travel expenses, the cardholder shall submit a fully itemized travel expense voucher within 15 days of returning from such travel. Any charges against the purchasing/credit card not properly identified on the travel expense voucher or not allowed following an audit (as required by RCW 42.24.080) shall be paid by the cardholder by check, U.S. currency or salary deduction.
- j. All credit cards will be kept by the Finance Director with appropriate staff members checking out the card when needed and returned following the needed use. (Credit cards issued to the City of Long Beach may be used for reasonable and necessary travel expenses and must be returned to the City immediately upon return from travel. City employees, officers and elected officials are not authorized to retain or use credit cards issued to the City of Long Beach except for reasonable and necessary expenses incurred during the course of travel on official authorized City business.)



5) City Procedure:

- a. If, for any reason, disallowed charges are not repaid by the cardholder before the statement is due, the city shall retain a prior lien against and a right to withhold any and all funds payable to the cardholder up to the amount of the disallowed charges and interest at the same rate as charged by the purchasing/credit card.
- b. Finance charges will not be paid by the city. If the statement and receipts are not submitted to the purchasing card administrator by the due date, the purchasing/credit card limit will be set to zero until the information is received. Also, the city may revoke the purchasing/credit card under Section 6 herein.
- c. Cardholders shall not use the card if any disallowed charges are outstanding and shall surrender the card upon demand of the Finance Director.

6) Card Revocation. The city shall have unlimited authority to revoke the use of any purchasing/credit card, and upon delivery of a revocation order to the purchasing/credit card company, shall not be liable for any costs. A purchasing/credit card may be revoked by the purchasing card administrator under any of the following circumstances:

- a. If the card is used in a manner inconsistent with city policy or
- b. If the cardholder transfers to another department;
- c. If the cardholder resigns or is otherwise terminated from the city;
- d. If the monthly purchasing/credit card is not properly reconciled or received by the purchasing card administrator according to the established schedule;
- e. If finance charges are incurred as a result of an officer/official or employee's failure to comply with Section 4;
- f. If the card is lost or stolen.

7) RIGHT OF PRIOR LIEN, Failure to pay any disallowed credit card charges or settle any advances within the time frame prescribed will render the employee personally liable for the unpaid amount plus interest at the rate charged by the bank that issued the credit/purchase card or ten percent, whichever is

applicable. The City shall have a prior lien against and a right to withhold any and all funds payable or to become payable to the employee in the amount due, plus interest.

- 8) If, for any reason, disallowed charges are not repaid before the charge card billing is due and payable, the municipal corporation or political subdivision shall have a prior lien against and a right to withhold any and all funds payable or to become payable to the official or employee up to an amount of the disallowed charges and interest at the same rate as charged by the company which issued the charge card. Any official or employee who has been issued a charge card by a municipal corporation or political subdivision shall not use the card if any disallowed charges are outstanding and shall surrender the card upon demand of the auditing officer. The municipal corporation or political subdivision shall have unlimited authority to revoke use of any charge card issued under this section, and, upon such revocation order being delivered to the charge card company, shall not be liable for any costs.
- 9) Use of credit cards. Credit cards will be made available to officials and employees for the purpose of covering all eligible travel expenses **except meals**, which will be handled on a reimbursement basis.

## TRAVEL EXPENSE AND REIMBURSEMENT POLICY

### PURPOSE

To establish policies and procedures for the City of Long Beach city business related to out of town travel, approval, reimbursement of authorized travel expenses, the payment of travel per diem and when meal reimbursement is authorized. *RCW 43.03.050(3) provides for reimbursement for meals, for certain business meetings (includes conferences, conventions, and formal training sessions) involving elective and appointive officials, and state employees.*

### SCOPE

All elected officials, employees, and volunteers acting on behalf of the City of Long Beach, including members of City Boards and Commissions. As used throughout this policy document, "employee" means all persons included in this "scope".

### POLICY

#### Authorization

Mayor, City Administrator and Finance Director (whichever is appropriate) are responsible for authorizing out of town travel and training, considering both budget availability and department staffing needs. The City will pay for allowable business travel expenses when reasonable, necessary, and directly related to conducting business for the City of Long Beach. Expenses incurred for City travel that are not in compliance with the policies outlined below will not be paid or reimbursed.

1. The following are considered reasonable and necessary business travel expenses:
  - Transportation (City or personal vehicle, airfare, parking)
  - Lodging
  - Registration fees for conferences, training, and tuition
  - Meals
  - Other incidental business expenses (copies, fax, internet service)
2. The following will **not be paid** or reimbursed:
  - Alcoholic beverages
  - Theft, loss, or damage to personal property
  - Airline or other trip insurance
  - Personal entertainment
  - Personal care services
  - Fines for parking or traffic violations

#### Personal Vehicles

Reimbursement for use of a personal vehicle for business travel must be approved by the Mayor, City Administrator and Finance Director (whichever is appropriate).

Mileage expenses will be reimbursed at the current mileage rate set by the Internal Revenue Service. The City gas or credit card should not be used in conjunction with private vehicles, since

the established mileage rate covers all cost of vehicle operation including gasoline, insurance, and maintenance.

#### **Rental Cars**

The cost of vehicle rentals while on travel status must be approved in advance by the Mayor, City Administrator and Finance Director (whichever is appropriate). The City will pay for a compact or a mid-size rental vehicle only if needed for business purposes when no other less costly transportation alternative exists.

#### **Lodging**

The City will pay lodging costs (room and taxes) at the government, or single occupancy standard room rate. When attending a training or conference, an employee may elect to stay at the conference hotel at the lowest available room rate. Lodging costs will be paid, or reimbursed, on an actual cost basis. An original detailed hotel receipt, showing the single room rate plus taxes, must be submitted with the request for payment.

#### **Registrations**

Fees charged for registration to attend City business related conferences are allowable expenses. **A copy of the conference flyer, brochure, or registration packet must be provided as documentation for payment or reimbursement. The document must show dates of conference, summary agenda, and location.**

#### **MEALS**

Meal expenses, while on travel status, will be **reimbursed on the per diem rate only** for the site of the meeting or location of the meal.

Any planned meals, the cost of which is included in a registration fee, shall not be reimbursed if the employee chooses not participate in those meals and chooses to eat elsewhere. Requests for reimbursements should be made within 5 days of return from travel. All receipts must show the date, description of purchase, vendor identification, and the amount paid.

#### **REIMBURSEMENT FOR MEALS WITH MEETINGS**

For non-overnight travel assignments, the following two criteria must be met to receive a meal allowance:

1. Three Hour Rule - A traveler may be reimbursed for meal expenses only after the traveler is in travel status for three hours beyond the traveler's regularly scheduled working hours for any one day.
2. In travel status during the entire meal period - Travelers must be in travel status during the entire meal period(s) in order to qualify to collect meal payments for meal(s). The traveler may not stop for a meal just to meet the three-hour rule.

#### **IMPORTANT NOTE:**

The designated meal periods; you must be in travel status the entire meal period in order to be reimbursed for that meal. The meal periods are:

Breakfast 6:30 to 8:00

Lunch 11:30 to 1:00

Dinner 5:30 to 7:00

**See "Further guidelines and Q&A on meal reimbursements "**

**Per Diem**

Per Diem within Washington will be based on the State of Washington Administrative and Accounting Manual as found online.

Per Diem expense for meals is based on the State of Washington rates per different regions of Washington. The Finance Director, City Administrator or Mayor (whichever is appropriate) must approve payment of any food or meal expense, including payment of per diem meal expenses.

Per Diem is the allowance for meals expenses. For travel outside of Washington the Federal General Services Administration (GSA) establishes per diem rates for destinations within the Continental United States (CONUS). As set by the GSA, the City will reimburse the employee a daily per diem rate equal to the GSA "high-low" rate for meals and incidental expenses including taxes and gratuity. No receipts will be required for per diem reimbursement.

The City of Long Beach has elected to use the GSA "high-low" per diem rates in its travel policy. Using this method a specific list of localities is deemed "high-cost" and is eligible for a higher daily per reimbursement rate for meals and incidentals. All other localities are deemed "low-cost" and will be eligible for the standard daily per diem reimbursement rate for all meals and incidentals. Which rate an employee receives will be dependent on the destination of business travel. The GSA updates their rates on an annual basis. For a complete list of which localities qualify for the higher rate visit the GSA website at [www.gsa.gov/perdiem](http://www.gsa.gov/perdiem).

Employees electing per diem payment are **prohibited** from incurring meal and incidental costs on their individually issued City Credit cards or seeking direct cost reimbursement for meal and incidental costs covered by per diem.

**Incidental Expenses**

Miscellaneous costs, including but not limited to taxi service, parking, copy and internet connection charges, are authorized expenses if deemed reasonable and necessary. These expenses are included in the daily per diem rate as established by the GSA.

**Non-allowable Incidental Expenses include, but are not limited to:**

- Liquor
- Expenses of a spouse or other persons not authorized to receive reimbursement under this policy
- Beauty parlor or barber services
- Personal entertainment (movie rentals, sporting events, etc.)
- Theft, loss, or damage to personal property
- Damage costs caused by employee/officer actions
- Airline or other trip insurance
- Personal postage, reading materials, toiletry articles, or non-business related telephone calls (except as provided elsewhere in this policy)
- Other items not specifically identified, but not considered necessary or reasonable

### **Claims and Documentation**

Employees will complete and certify an itemized Report of Expenses within five days of return from travel status. The following is a list of required documentation supporting travel expenses:

- Copy of conference or training registration showing dates and cost;
- Conference, training, or meeting agenda to document business purpose;
- Travel Itinerary as appropriate;
- Per Diem reimbursement request for meals; and
- Personal vehicle mileage report, including internet mapping verification of miles traveled if requested by the Finance Director.
- **All claims for reimbursement will be accompanied by a vendor's original detailed receipt for any items that are not meals.**

### **POLICY ADMINISTRATION**

The Finance Director develops and implements procedures for administering this policy, ensuring compliance with the policy and State Law. The Finance Director is required to obtain authorize from the Mayor and City Council for any exceptions to the above policy. Furthermore, the city will update this policy due to changes in state law or auditor advice.

## Further guidelines and Q&A on meal & other reimbursements

### Meal Reimbursement

Based on recommendations from the State Auditor's Office, the City uses the following guidelines in determining the use of public funds for expenditures for food and beverages:

1. Who consumed this food and drink?
2. What was the nature of the occasion for the consumption?
3. What public purpose or policy objective was served?
4. Why was it necessary to consume food and beverage to carry out the policy?
5. Were the expenses "reasonable"?
6. Were the expenses consistent with the policy authorizing reimbursement?

### Eligible Meals

- A. The City shall provide reimbursement on a per diem basis to City employees for reasonable and necessary meal expenses incurred when traveling on City business
  - Individuals on travel status shall be reimbursed for meal expense using per diem rates.
- B. Meals for City Council, boards, commissions and staff conducting formal City business during meal times are specifically authorized.
- C. The City shall provide reimbursement to City employees for reasonable and necessary meal expenses incurred while engaging in City business within the City so long as the meal expense was reasonable and necessary to the performance of the employee's official duties. Meal reimbursement shall only be provided when the expense is incurred while engaging in City business. **Meal reimbursement shall be pre-approved by the Mayor, City Administrator or Finance Director.**

### Ineligible Meals

- A. Expenses for meals, where City business is conducted and that could reasonably occur during non-meal periods, are not eligible for reimbursement.
- B. Generally meals consumed within the Long Beach Peninsula area are ineligible for reimbursement.
- C. **Refreshments** purchased are not a legitimate expense and will not be reimbursed.

### Non-City Employees and Non-City Officials:

Recruiting Costs: Expenses incurred by non-city employees and officials asked to participate in assessment centers or on interview committees or city task force are reimbursable and should be approved by the Mayor, City Administrator or Finance Director.

### Guest Meals, Travel, Lodging and Entertainment Expenses:

The use of City funds for the purpose of providing meals, travel, lodging, beverages or any forms of entertainment for other persons, whether City employees or not, is prohibited and will not be reimbursed.

Other examples of meal costs:

- A. Business meals between city employees and non-city employees that can reasonably be expected to bring a specific business benefit to the city (e.g. a new store is contemplating locating in Long Beach). These meals would typically involve the Mayor and business people seeking to increase business in Long Beach. Restaurant meals with current or potential city suppliers (vendors/contractors/consultants, etc.) would not qualify under this category.
- B. Meals provided by the city that meet the following three criteria:
  - The meal must be brought to the employee; cash may not be given to the employee to buy a meal.
  - The meal must be provided at the city's business premises. This may include temporary work sites, such as a rented hotel conference room, if business is conducted there. Public restaurants do not qualify as business premises.
  - The meal must be provided for the city's convenience and have a sound business justification. Examples include: a) Meals furnished during work hours so employees are available for emergency calls during the meal. Evidence must be provided that an emergency occurred; b) Meals delivered to the office at a group meeting that spans a mealtime and the meeting cannot be interrupted for a meal break.
- C. The City policy is to allow for reimbursement for the costs of reasonable refreshments for public events such as Open Houses, City Anniversary Celebrations, and hosting delegations from other jurisdictions. Reimbursement requests must be accompanied by the publicly published notice of the event.
- D. Business Meals between City Employees: Meals (including snacks) between City Employees will not normally be reimbursed. It is expected that City Business between City employees can for the most part be conducted on **City premises during normal work hours**.
- E. Working Lunches: the City recognized that there are occasions when it may be necessary for a group of employees to work through lunch in order to meet a deadline or to keep a group convened in order to accomplish the task. To be considered for reimbursement as a working lunch, the meeting must span over a three hour period which includes the group's normal lunch hour and have **prior approval** of the Mayor, City Administrator or Finance Director.
- F. Business Meals between City Employees and Non-City Employees: the reasonable costs of necessary meals while conducting City Business with persons other than City employees either locally or out of town are authorized for reimbursement. Employees



seeking reimbursement for meals of a non-City person must obtain **prior approval** from the Mayor, City Administrator or Finance Director.

- G. All City employees and officials claiming reimbursement for meals consumed while on City business **but not on overnight travel** must have required receipts.

Appearance of a conflict of interest:

To avoid the appearance of a conflict of interest, employees should not allow consultants, vendors, or others with official business with the City to pay for or furnish meals or beverages.

USE OF CREDIT CARDS

Credit cards will be made available to officials and employees for the purpose of covering all eligible travel expenses **except meals**, which will be handled on a reimbursement basis.

Personal Expenses

The City will not pay for personal travel expenses that may be incurred during business travel. When personal travel is scheduled in connection with a business trip, the City pays only those expenses directly related to Official City Business. Any expenses related to personal travel must be clearly distinguishable and paid directly by the employee.

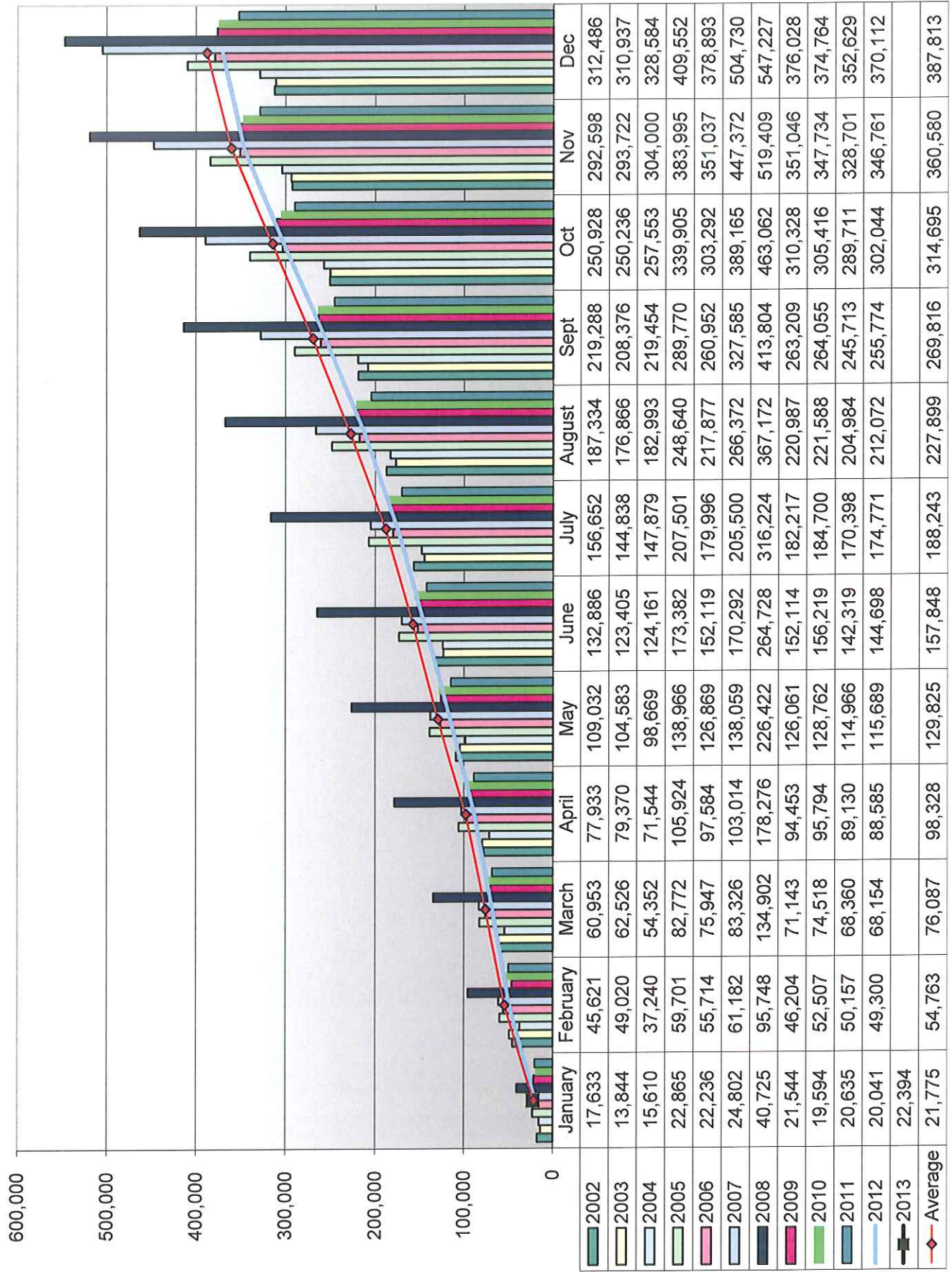
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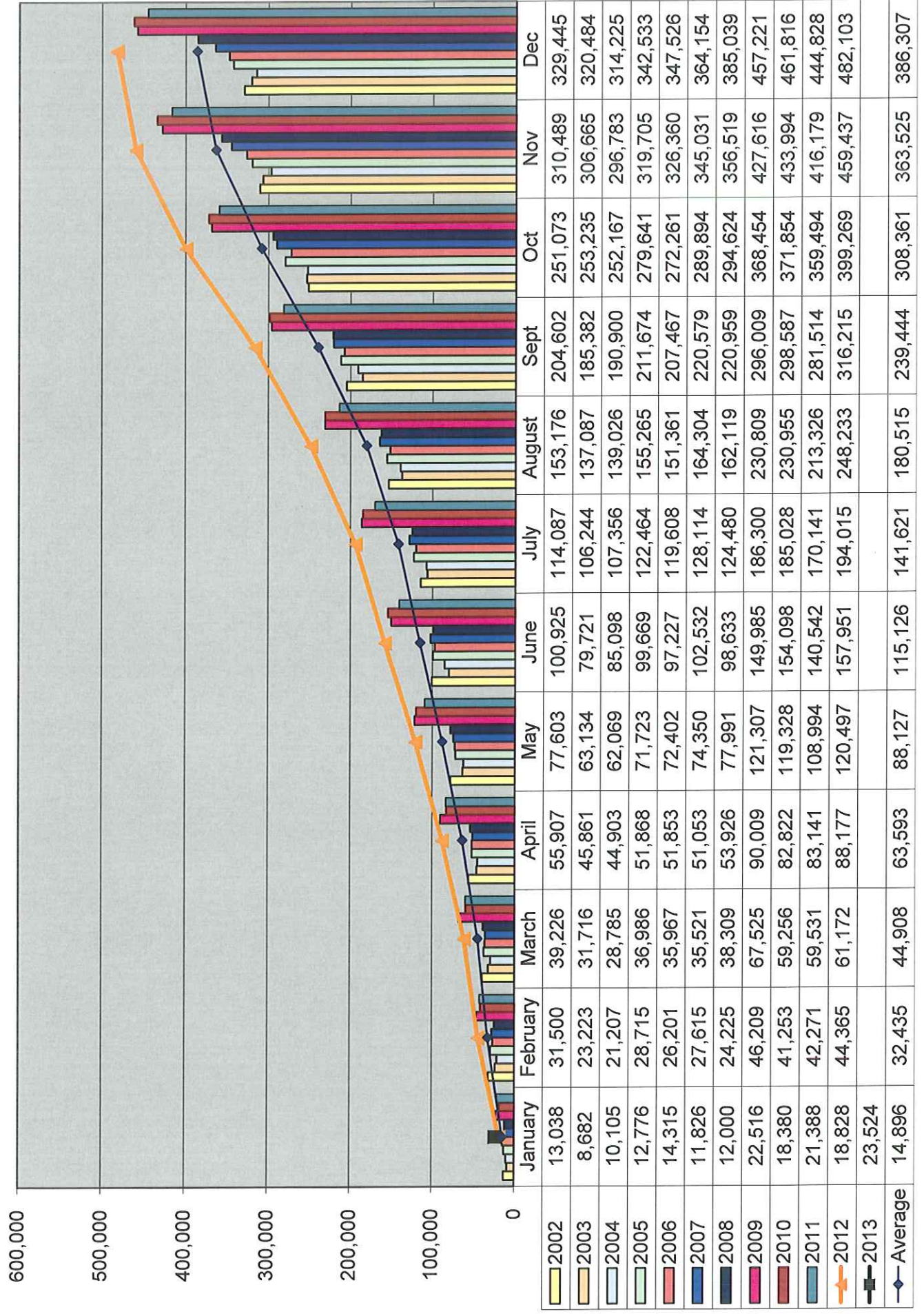
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## Sales Tax Collections





## Lodging Tax Collections



# *Long Beach Police*

P.O. Box 795  
Long Beach, WA 98631

lbpdchief@centurytel.net

Phone 360-642-2911  
Fax 360-642-5273

02-01-13

Page 1 of 2

To: Mayor Andrew and Long Beach City Council

From: Chief Flint R. Wright

Ref.: Monthly Report for January 2013

During the month of January the Long Beach Police Department handled the following cases and calls:

## **Long Beach**

**620** Total Incidents

Aid Call Assists: 4

Alarms: 4

Animal Complaints: 2

Assaults: 4

Assists: 74

(Includes 7 Law Enforcement Agency Assists Outside City Boundaries)

Burglaries: 12

Disturbance: 16

Drug Inv.: 0

Fire Call Assists: 4

Follow Up: 195

Found/Lost Property: 9

Harassment: 3

Malicious Mischief: 7

MIP – Alcohol: 0

MIP – Tobacco: 0

Missing Person: 0

Prowler: 4

Runaway: 0

Security Checks: 206

Suspicious: 33

Thefts: 2

Traffic Accidents: 4

Traffic Complaints: 7

Traffic Tickets: 1

Traffic Warnings: 10

Trespass: 2

Warrant Arrests: 8

Welfare Checks: 9

## **Ilwaco**

**339** Total Incidents

Aid Call Assists: 0

Alarms: 1

Animal Complaints: 0

Assaults: 1

Assists: 25

Burglaries: 0

Disturbance: 5

Drug Inv.: 0

Fire Call Assists: 0

Follow Up: 117

Found/Lost Property: 0

Harassment: 4

Malicious Mischief: 6

MIP – Alcohol: 0

MIP – Tobacco: 0

Missing Person: 1

Prowler: 1

Runaway: 0

Security Checks: 151

Suspicious: 4

Thefts: 4

Traffic Accidents: 2

Traffic Complaints: 7

Traffic Tickets: 2

Traffic Warnings: 3

Trespass: 0

Warrant Arrests: 1

Welfare Checks: 4

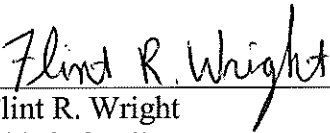
**Monthly Report Continued:**

**Page 2 of 2**

On January 9<sup>th</sup> I, along with Officer Casey Meling, met with the Ocean Beach School District Superintendent and concerned staff and parents. We met to discuss school safety. While there is no way to guarantee a child's safety 100% we met to talk about making our schools as safe as possible.

On the 19<sup>th</sup> and the 26<sup>th</sup> the department had training in first aid and CPR. This is ongoing training that we take every few years.

I attended a meeting in South Bend on January 29<sup>th</sup>. The meeting was with representatives from Homeland Security Region 3 and representatives from area law enforcement, fire and emergency services and local schools. We met to discuss putting together an "active shooter" exercise. We also talked about firming up plans for how we would respond to a shooter in one of our schools.

  
\_\_\_\_\_  
Flint R. Wright  
Chief of Police



# *Donald E McGuire Jr*

2506 Pacific Ave N.  
Long Beach, WA. 98631  
Phone (360) 244-0806  
Fax (360) 642-8907  
Corral@willapabay.org

January 18, 2013

To whom this may concern,

*Firstly, my name is Donald McGuire and I live In Long Beach, WA. located in Pacific County. After 28 years of owning my own business on the 103 Hwy. I have seen many near accidents and actual accidents at our intersection 103 & 25<sup>th</sup> St N.*

*We are located at the end of the city limits and speed limit changes just after 25<sup>th</sup> st N. Often vehicles traveling North start speeding up at this intersection to prematurely reach the new speed limit approaching, and the Southbound traffic has often not slowed to the reduced speed limit either. Because we are on the outskirts of town they are less cautious.*

*Directly across the street on the west side of the hwy, is our local state building. There are several offices located at this site, 2601 N Pacific Hwy, Long Beach, WA. Including CPS, Unemployment, and others. In the same parking area is a Head Start school. Also The Breakers hotel is located across the street with many of their patrons walking to our location and other areas. Many with families involving small children. Just three blocks from us on the East side is the State Mental Health Building with no sidewalk or safety precautions for those riding the bus. Some of these patients walk to the bus stop at 25<sup>th</sup> st. with no sidewalk and unsafe conditions.*

*On our side of the road we have a covered bus stop used by many, including children. There is a crosswalk located from our corner to the State office building, but no safety precautions are implemented for the pedestrians. There are no sidewalks located on the East side of the road and is quite dangerous for pedestrians walking this area which is used in abundance.*

*As stated above we have seen many accidents and near accidents at this site. Recently, there were three family members crossing the street in*

*the crosswalk with what should have been ample time, and were struck by an oncoming vehicle. A mother, father and daughter. It was devastating to the young daughter to see her parents lying in the road bleeding, in pain and shock. It was also devastating for the vehicle's driver that hit them.*

*We feel that the state and the city should work together at putting in firstly, sidewalks that would allow safety for those walking the Hwy. Also there needs to be some alert for drivers that a pedestrian is crossing the road. There are options for this endeavor, to name a few; lighted crosswalk, push button crossing, ect.*

*Currently, we have a push button for bicycles that are entering our tunnel in Chinook, WA. Although I feel this is important I must say I have rarely seen this feature used. I am sure it has protected many bicyclists yet I see our intersection as being far more used and in need of revamping in order to keep all using it safe.*

*Thank you for your consideration of this matter. We honestly feel this could be a matter of life and death.*

*Sincerely,*

*Signature*



Donald E McGuire Jr.

2506 Pacific Ave. N.

360-642-2774

[corral@willapabay.org](mailto:corral@willapabay.org)

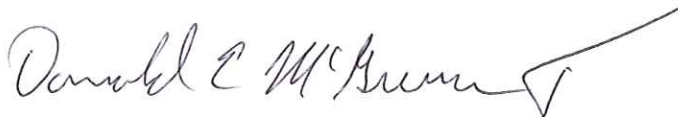
To whom this may concern,

On Thursday, January 17, 2013 I went to Olympia, WA. to deliver the attached letter to our State Senators and Reps. This is to inform you that there is a possibility they may contact you on this issue. The letter was delivered to Senator Brian Hatfield, Rep. Brian Blake, Rep. Dean Takko, & Senator James Hargrove. Each letter was addressed and hand delivered to each of the individuals listed above.

I feel strongly about this issue and would like to see some results and hoping the city and the state can work on this issue together, in order to provide safety for our community.

Sincerely,

Donald E McGuire Jr

A handwritten signature in black ink, appearing to read "Donald E McGuire Jr.", followed by a long, sweeping horizontal line that ends in a small downward-pointing hook.

Report: AGY064P2  
710-LBL ELSD020

State of Washington  
Business Licensing Service  
Agency Requirements Document (ARD)

Date: 01 09 2013  
Page: 1

LONG BEACH GENERAL BUSINESS

New Application / Final

Business Structure: LLC

UBI Number : 603 196 276 001 0001  
Application ID : 2013 007 0010  
Application Received Date: 01 04 2013

Legal Entity Name : HEATING SOLUTIONS LLC

Firm Name : DUGAN'S HEATING SOLUTIONS

Fees : \$125.00  
Expiration Date: 01 31 2014

Location Phone/FAX: (503) 338-2884 (000) 000-0000

First Date of Business: 01 01 2013

Location Address : 1394 8TH ST  
ASTORIA OR 97103 5107

Mail Addr: 1394 8TH ST  
ASTORIA OR 97103 5107

In City Limits:

Product/Serv Desc: Services  
Services HVAC REPAIR AND INSTALLATION

Operator Comments: ADDED LONG BEACH LICENSE, UPDATED SPOUSE'S INFO

Previous Business License:

Square Footage: 0 Applying as Non Profit Business: N  
501(C) Received: -

Email Address: heatingsolutions50@yahoo.com

Additional Business Activities:

Account Status: Pending Approval

- Zoning	<u>NA</u>	<u>12/13</u>	Fire	_____	Date
- Building	<u>UP</u>	<u>12/13</u>	Police	_____	Date
- Finance	_____	_____	Planning	_____	Date
- Comments:	_____	_____	_____	_____	Date
-	_____	_____	_____	_____	Date
-	_____	_____	_____	_____	Date

CITY OF LONG BEACH      N o   A R D S   w e r e   p r o c e s s e d   b y   B L S   s t a f f   t o d a y.